

By What Authority?

Volume 3 — The Chain from Scripture to Sovereignty

The chain from scripture to sovereignty is documented.

By What Authority? — The Chain from Scripture to Sovereignty

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*For everyone who followed the chain to the bottom
and found nothing there.*

How to Read This Series

By What Authority is three narrative volumes and two reference companions.

Two entry points. Readers coming through the constitutional, legal, or historical angle can begin here. Parts One through Three stand on primary sources that can be checked without prior theological commitment. Readers who want the textual case first should begin with Volume 1 — The Argument in Brief or Volume 2 — How Paul's Letters Were Edited.

Readers coming to the argument from the textual and theological angle — who want to understand what was edited and why before seeing what it authorised — should begin with Volume 1 (one sitting) or Volume 2 (the full case in forty-nine chapters).

Volume 1 — The Argument in Brief. The textual and theological entry point. The argument in one sitting. All the core claims are present; the evidence is condensed. Roughly ninety minutes.

Volume 2 — How Paul's Letters Were Edited. The full case in forty-nine chapters: the textual evidence, the patristic timeline, the gospel analysis, the Greek text, the thematic analysis, the strongest objections. Every claim made in Volume 1 is evidenced here.

Volume 3 — The Chain from Scripture to Sovereignty. You are here. The constitutional and institutional consequence: what the institution did with the edited text, and where the chain leads. The secular and historical case — Parts One through Three — stands independently of the theological argument. Parts Four and Five draw on the textual case in Volumes 1 and 2.

Companion A — The Verse-by-Verse Analysis. The complete scholarly adjudication record: signal codes, confidence scores, and manuscript evidence for every assessed passage. Designed for scholarly consultation — not sequential reading by a general audience.

Companion B — The Reconstructed Pauline Letters. The seven authentic Pauline letters with the identified interpolations removed. A reading text, not a scholarly edition. Use it alongside Companion A for the evidence behind each excision, or alongside the canonical text to see exactly what has been taken out.

Reading Paths

This volume can be read in three ways.

The Overview

Read Chapter 1, Chapter 19, and Chapter 24. This gives you the foundational question, the structural self-refutation of the institution, and the alternative way of organising authority, including the analysis of why the creditor's prior release structurally dissolves the adversarial framework the institution depends on. About an hour.

The Constitutional Argument

Read Chapters 1–10 for the sovereignty chain from the papal bulls through to the question the High Court declines to examine. Then Chapters 19–24 for the conclusion: the self-refuting institution, the question the system cannot answer, honest reckoning, and the architecture the chain displaced. Parts Four and Five draw on the textual case in Volumes 1 and 2; readers who have not read those volumes can receive them as argued findings rather than demonstrated ones. A few hours.

The Full Investigation

Read all chapters in order. Parts One through Three document the chain. Part Four recovers what the chain suppressed. Part Five asks what follows. Several days.

Stop whenever you need to. The appendices are designed for verification and consultation, not sequential reading.

A Note Before We Begin

If you have just read Volume 2, the question the previous volume leaves behind — 'by what authority?' — is what this volume answers.

This volume connects to the By What Authority series, but it can be read on its own. Where Volumes 1 and 2 did the forensic work, this one asks what that work means in constitutional and historical terms.

The series began as a textual inquiry into Paul's letters and grew, by following the evidence, into the institutional and political argument traced here. This volume is the downstream consequence of that finding: what the institution did with the edited text, and how European territorial sovereignty came to rest on it.

Paul named the root of the problem himself: Judaising (Galatians 2:14). The pressure against grace was not invented by Rome. It started in Jerusalem — James and the circumcision party insisting that covenant conditions still applied, that grace required qualification. Catholicism did not create the prob-

lem. It inherited it, institutionalised it, and eventually wrote it into the legal instruments traced in this volume.

The dependency is partial and should be stated precisely. Parts One through Three stand on primary documents that can be checked independently: the papal bulls, Cook's instructions, Johnson v. M'Intosh, and the Vatican's 2023 statement. Parts Four and Five draw on the verse-level case assembled in Volume 2 — How Paul's Letters Were Edited and Companion A — The Verse-by-Verse Analysis. Readers who have not engaged that case can still assess the constitutional and historical chain on its own terms, and can read the later parts as the theological consequence if the textual finding is granted.

This volume is what the inquiry produced when it was followed past the point at which it would have been more comfortable to stop.

The argument moves in five parts. Part One traces the sovereignty chain. Part Two examines the claimed scriptural foundation. Part Three follows the same pattern across the global reach of the doctrine. Part Four asks what remains of Paul's theology once the editorial layer is removed. Part Five asks what follows when a foundation fails.

One claim this book does not make: it is not arguing that the world should dissolve into anarchy, that all law is evil, or that nothing can be built on the ruins of a fraudulent inheritance. The opposite. It argues that honest foundations hold. Manufactured ones eventually crack, and the cracking is expensive — most often for the people who had the least say in the building.

All primary sources cited here are real. All quotations are accurate. The reader is invited to check every one. Appendix E lists the open digital resources — manuscript portals, critical editions, patristic citation databases, Marcion reconstructions — through which any textual claim in this book can be independently verified.

The chain

For readers who want to see the whole argument compressed before reading the body of the book, the chain runs as follows. Each link is documented with primary sources in the chapter indicated.

The questions that produced it

Root cause analysis: starting from the most recent observable fact and asking why at each step.

The Australian government asserts sovereign authority over the continent.

Why? Because Australian law derives from Crown sovereignty — territorial acquisition by the Crown under legal frameworks that hold today. (Link 1)

Why did that acquisition hold legally? Because it rested on the Doctrine of Discovery, articulated in the papal bulls of 1452–1493 and adopted into common law through *Johnson v. M'Intosh* (1823) and the cases that followed, including *Mabo* (1992) in which the High Court held the foundational question non-justiciable. (Link 2)

Why did the papacy have authority to authorise territorial acquisition over non-Christian peoples? Because it claimed universal jurisdiction over all peoples of the earth, derived from the Petrine commission at Matthew 16:18–19 — a passage absent from the parallel gospel accounts and carrying second-century ecclesiastical vocabulary inconsistent with its claimed setting. (Link 3)

Why did Paul's letters support hierarchical authority and submission to governing powers? Because specific passages — Romans 13:1–7, the household codes, the Pastoral Epistles — were inserted into letters the authentic Paul did not write that way. (Link 4)

Why were those passages accepted as Pauline for seventeen centuries? Because the institution controlling transmission had no external check, and the inserted passages served the institutional interests of every body responsible for their preservation. The institution deployed them to authorise the divine right of kings, colonial authority, and submission to every layer of the chain. (Link 5)

Why does the chain still hold legally, despite the foundational question having been raised? Because the system's own courts have explicitly held that examining the chain's foundation would fracture the skeleton of principle that gives the legal order its shape. The question has been placed out of bounds by the highest court whose legitimacy depends on it not being answered. (Link 8)

Why do individuals remain bound by the chain? Because at every institutional layer — coronation, parliament, judiciary, police, military, public service — the chain is held in place by sworn personal commitment to a sovereign claim that traces to the links above. The architecture of oaths makes the chain personal. (Link 9)

Links 6 and 7 in the chain below mark what the causal sequence ran through rather than what built it: the suppressed counter-architecture in Paul's authentic letters, and the prior legal orders the chain declared void. They are the collateral record — what the chain overrode — not the causes that produced it.

A note on the chain that follows. Links 1–2 are matters of historical record and constitutional law. Links 3–5 depend on the verse-level evidence assembled in Volume 2 and Companion A. Links 6–7 appear in the chain as collateral record – what the causal sequence ran through and overrode, not what built it. The textual claims about the suppressed counter-architecture are one defended reading of the residue, not the only possible one. The institutional-history claims at links 8–9 are documented at every node. Keep the textual case and the architectural reading separate as you read.

1

Territorial sovereignty

Nation-states · Crown title · treaty frameworks · European acquisition 1452–1945

documented — legal and historical record



2

Doctrine of Discovery

Dum Diversas (1452) · Romanus Pontifex (1455) · Inter Caetera (1493) · Johnson v. M'Intosh (1823) · common-law adoption

documented — legal and historical record



3

Petrine commission

Matt 16:18–19 · absent from Mark and Luke · second-century church-organisational vocabulary

DISPUTED

argued — textual analysis



4

Political Pauline texts

Rom 13:1–7 · 1 Cor 14:34–35 · household codes · Pastoral Epistles · 1 Thess 2:14–16 · flagged confirmed or probable interpolations

DISPUTED

argued — textual analysis



5

Institutional deployment

Divine right of kings · colonial authority · women's exclusion · slave-holder theology · theological antisemitism

documented — institutional use



6

Suppressed counter-architecture

Gal 3:28 · Antioch confrontation · Hidden Father · custodial and relational access without institutional mediation

collateral record — what the chain suppressed



7

Continuous Indigenous legal traditions

Aboriginal Lore (65,000 yr) · Great Law of Peace (12th C) · Brehon law · Kurukan

Fuga (1235) · Māori tikanga · destroyed by the authority the disputed texts legitimised

collateral record — what the chain overrode



System's own admission

8

Mabo v Queensland No 2 (1992): to examine the foundational question “would fracture the skeleton of principle which gives the body of our law its shape and consistency”

documented — legal record



Architecture of oaths

9

Coronation · parliamentary · judicial · police · military · citizenship · bar admission · each layer held by sworn personal subjection to the claim at links 1–4

documented — structural analysis



Documented — legal or historical record



Argued — textual analysis
(Vols 1–2)



Collateral record — what the chain displaced

The sovereignty chain — nine links from territorial sovereignty to the architecture of oaths. Links 1–2 are documented historical and legal record. Links 3–4 are argued on textual analysis (shown with dashed borders). Link 5 is documented institutional use. Links 6–7 are the suppressed counter-architecture (shown with side bars). Links 8–9 are documented systemic.

1 — Territorial sovereignty [documented]. Many modern nation-states, especially in the European imperial and post-colonial map, ground their territorial sovereignty in legal frameworks — common-law Crown title, civil-code grants, treaty arrangements — that trace, at the bottom, to the European acquisition of non-European territory between 1452 and the early twentieth century. (Chapter 2, Chapter 4)

2 — Doctrine of Discovery [documented]. That acquisition was authorised by the Doctrine of Discovery, formally articulated in the papal bulls *Dum Diversas* (1452), *Romanus Pontifex* (1455), *Inter Caetera* (1493), and earlier *Laudabiliter* (c. 1155 — the Irish precedent), and adopted into European common-law jurisprudence through *Johnson v. M’Intosh* (1823) and the chain of cases that followed. (Chapters 3–4, 12–15)

3 — Petrine commission [argued — textual analysis]. The papal authority issuing those bulls rested on the Petrine commission at Matthew 16:18–19 (“on this rock I will build my church... whatever you bind on earth shall be bound in heaven”), which is absent from the parallel pericopes in Mark and Luke, contains second-century church-organisational vocabulary inconsis-

tent with a pre-resurrection Galilean setting, and is not cited by the writers (Clement of Rome, Ignatius, Justin, Irenaeus on point) who would most need it as an authority text in the period before the late second century. (Chapter 5; Appendix C. The evidentiary base here is materially less complete than for the Pauline corpus — the patristic-silence case is suggestive rather than dispositive, and is so flagged in Appendix F.)

4 — Political Pauline texts [argued — textual analysis]. The institutional authority more broadly rested on a bundle of Pauline passages — Romans 13:1-7 (submit to governing authorities), 1 Corinthians 14:34-35 (women silent in the assemblies), the Pastoral Epistles (episcopal hierarchy), the household codes (slaves obey masters), 1 Thessalonians 2:14-16 (collective curse on the Jewish people) — every one of which is either flagged as a confirmed or probable interpolation in the Hidden Father verse-level adjudication corpus, carried in a letter the standard critical consensus regards as pseudonymous, or absent from the earliest manuscript witnesses. (Chapters 6–7; Appendices B, C, D)

5 — Institutional deployment [documented — institutional use]. The institution then used these specific edited passages to authorise: the divine right of kings; submission to colonial authority; women’s exclusion from teaching and ministry; antebellum slave-holder theology; and — through centuries of patristic reception in which 1 Thessalonians 2:14–16 was read as Pauline warrant for treating the Jewish people as a divinely cursed nation — a theological antisemitism whose institutional history is documented in detail in Chapters 7–8.

6 — Suppressed counter-architecture [interpretive reading]. What the same institution suppressed is concrete: Paul saying coercive law was temporary, Galatians 3:28 erasing Jew/Greek, slave/free, male/female rank inside the grace community, Antioch making table fellowship more important than status, and the Hidden Father reaching the person without priest or office in between. That points to a different way of organising life: repair before punishment, relationship before rank, direct access before mediation, custody before ownership. (Chapters 16–18; Appendix D)

7 — Prior legal traditions overridden [independent historical record]. The alternative is not supplied by annexing anyone else’s legal or cosmological tradition to Paul. The historical point is narrower and stronger: before and alongside the colonial chain were continuous legal orders — Aboriginal Australian Law, the Iroquois Great Law of Peace, Brehon law, the Mali Charter of Kurukan Fuga, Hawaiian law, Māori tikanga, and others — which the institutional framework declared void or subordinate through a warrant whose textual foundation this series places in question. (Chapters 12–15, 19)

8 — System’s own admission [documented — legal record]. The High Court of Australia, in *Mabo v Queensland (No 2)* (1992), the most progres-

sive Indigenous-rights judgment in Australian history, explicitly admitted that the foundational sovereignty question cannot be examined by the Court because to do so “would fracture the skeleton of principle which gives the body of our law its shape and consistency.” That is the system saying, in the official record of its highest court, that the question “by what authority?” is the question it cannot afford to answer. (Chapters 9–10, 20)

9 — Architecture of oaths [documented — structural analysis]. The chain is held in place, at each layer, by an architecture of sworn personal commitment — coronation oath, privy council oath, parliamentary oath, judicial oath, police attestation, public service oath, citizenship oath, bar admission oath, military oath. Each institutional layer is constructed through binding personal subjection to a sovereign claim that traces, at the bottom, to links 1–4. And every layer stands in direct contradiction to retained, undisputed Pauline material — preserved as ATT (recoverable Paul) in the Hidden Father verse-level adjudication and present in every manuscript witness — in which the apostle whose authority the institution most invokes identifies binding personal subjection to human masters as the bondage from which the gospel sets the believer free: “You were bought with a price. Don’t become bondservants of men” (1 Cor 7:23); “Stand firm therefore in the liberty by which Christ has made us free, and don’t be entangled again with a yoke of bondage” (Gal 5:1); “why do you turn back again to the weak and miserable elemental principles, to which you desire to be in bondage all over again?” (Gal 4:9); “Owe no one anything, except to love one another” (Rom 13:8, immediately following the inserted 13:1-7 the editor needed to authorise the very subjection 13:8 dissolves). The institution did not need to alter the text to evade what the text says; it built the architecture the text dissolves and continues to operate on it. The Anabaptists from 1527 and the Quakers from the 1650s refused this architecture on the narrower Sermon-on-the-Mount grounds and were criminalised (Quaker Act 1662) before being grudgingly accommodated in form (Affirmation Act 1696, Oaths Act 1888) without the substantive contradiction being addressed. The historical pattern of where contested foundations actually shift is consistent across the Royal Indian Navy mutiny (1946), the late-apartheid SADF, East Germany 1989, Romania 1989, and Tunisia 2011: the shift happens at the layer of personal commitment, not at the layer of doctrinal examination. (Chapter 21)

The book’s argument is that links 1–4 are documented at each link and that the consequences at links 5–9 are argued to follow. The book’s title is the question whose honest answer the institution has spent six centuries managing. The receipts are in Appendices B, C, D, and E.

What this volume establishes, argues, and reads

Documented: the papal bulls (Romanus Pontifex 1455, Inter Caetera 1493, and Laudabiliter 1155 with the transmission caveats noted in Appendix F), their adoption into constitutional law through *Johnson v. M'Intosh* (1823) and successor cases, the absence of treaty or consent in most Australian and Commonwealth territorial acquisition, the oath architecture at every institutional layer. These are primary source documents in the public record, independently verifiable.

Argued: the connection between the Pauline textual case (Volume 2) and the institutional chain traced here. The Pauline passages that gave the chain its theological warrant are identified as interpolations in Volume 2's analysis. That identification is the load-bearing argued link. It is made with evidence; it is not established beyond contest. A reader who accepts the documented chain but not the textual case keeps the constitutional history and loses the explanation of how it acquired its apostolic authority.

Interpretive: the alternative — what the authentic Pauline material and continuous lore traditions suggest about authority organised around repair, custody, kinship, and direct responsibility rather than command from above. This is developed in Part Four and Chapter 24. It is offered; it is not asserted. A reader who accepts the documented chain and the argued textual connection can set this reading aside without losing the core case. This volume makes a positive case: the foundational instruments were constructed without legitimate warrant. The question it opens — by what authority things should be governed going forward — belongs to communities with standing and to political processes that have not yet engaged the foundational question honestly.

A note on sources and register

This book is written for an intelligent general reader, not for peer-review by a sub-discipline. That is a deliberate choice, and the reader is owed a candid account of what it involves.

It puts a six-hundred-year argument spanning textual criticism, canon law, constitutional history, comparative jurisprudence, and theology in front of the people who live inside its consequences. The book is written to be read without specialist training. It does not lower the standard of checkability. The textual claims rest on the verse-level adjudication corpus and accessible manuscript evidence; the legal-historical claims rest on primary documents; the Indigenous-jurisprudence material is cited in its own voices. Appendix F

lists the principal contested moves and strongest counter-cases so readers can see what remains if they reject some of them.

This is not the last word in any field it crosses. Specialist treatments go deeper on every component. The contribution here is the chain — the linkage across materials that specialists necessarily treat separately.

The reader is asked one thing: check what is checkable, keep documentary claims separate from interpretive ones, and suspend judgment on the full architectural reading until Parts Two and Four have been weighed.

General readers: the argument begins at Part One, which starts immediately after this section. You do not need to read what follows to follow the chain. The section below is addressed specifically to judges, senior public servants, military officers, parliamentarians, and others in positions where the argument has direct professional relevance.

This book does not assess any reader's legal position, and nothing in it constitutes legal advice. Readers with specific concerns about their professional or legal obligations should take independent advice from a qualified lawyer in their jurisdiction.

What the book does is place a documented historical and constitutional argument in front of its readers. The argument concerns the foundation of authority — what it rests on, where it came from, and whether the warrant was legitimate. That is a historical and political question, not a professional ruling on anyone's circumstances.

"I didn't create it" and "I have no responsibility for it" are different claims. The second does not follow from the first. People who benefit from a system whose foundations they now understand occupy a different moral position than people who were simply ignorant of those foundations. This is not a legal conclusion — it does not mandate any particular action. It is a statement about conscience.

For most readers — ordinary citizens, students, journalists, clergy, historians — that observation is largely theoretical. The conscience question the book raises is real, but it is not acute for them in the institutional sense.

For the readers this book most specifically addresses — judges, senior public servants, military officers, parliamentarians, members of the bar, those who hold the oath-architecture at its load-bearing points — the position is more pointed. Not because the book makes them guilty of anything, but because the question has now been placed clearly in front of them. What they do with it is theirs to account for.

The primary receipts are not in this book. They are in Appendix A — the foundational legal instruments themselves: *Dum Diversas*, *Romanus Pontifex*, *Inter Caetera*, Cook’s Secret Instructions, the Vatican’s 2023 joint statement — and in Appendix E, which lists direct portals to the manuscript and patristic databases. The bibliography carries the URLs. A reader who has examined Cook’s own instructions in the National Library of Australia, or Marshall’s own opinion in *Johnson v M’Intosh*, or the Vatican’s own 2023 statement, stands in a different position than one who has only heard that these documents exist.

The book does not tell them what to do. It tells them, honestly, that they have been shown the argument.

PART ONE: TRACING THE CHAIN

Chapter 1: The Question That Ends Conversations

Imagine you are sitting across a desk from a government official. It does not matter much which country, which department, which century. The official has a form, a demand, an order. The transaction is mundane: a tax, a fine, a requirement to appear somewhere. The official has authority. The piece of paper in front of you says so.

You ask one question.

By what authority?

Not hostilely. Not as a trick. As a genuine enquiry: where does this demand come from, and can you show me an unbroken chain from this desk back to something that actually justifies the claim?

In most cases, the official will look at you as if you've said something strange. The authority is obvious, isn't it? It's right there on the form. It comes from the department, which comes from the ministry, which comes from the parliament, which comes from the constitution.

What happens if you keep asking?

That is what this book is about.

Not as a tax dodge or a legal parlour trick. As a genuine philosophical and historical investigation. Because the question "by what authority?" — followed honestly and without flinching — leads somewhere almost nobody in the official world wants you to go. It leads through constitutions to crowns, through crowns to popes, through popes to scripture, and through scripture to the discovery, documented in the preceding volumes of this series, that the scripture itself was shaped by the institution claiming to derive its authority from it.

At the bottom of every chain of authority, there is either something that genuinely justifies itself, or there is a loop. The loop is worse than emptiness. It means the authority was always its own excuse.

This is not a new observation. Legal philosophers have been circling it for a century. What is new — or at least newly documented — is the particular

loop at the base of Western legal authority: the institution that claimed universal spiritual jurisdiction edited the texts that authorised the claim. We now have the manuscript and patristic evidence to say this with confidence. That is what this book is about.

The Question in Practice

“By what authority?” appears in the oldest law we have.

In the Gospel of Mark (11:28), the chief priests and scribes confront Jesus in the Temple and ask: “By what authority are you doing these things? Who gave you this authority?” It is a reasonable legal question from institutional religious authorities to someone acting outside the recognised channels. Jesus, famously, answers the question with a question — and does not answer it directly.

The question has been asked about kings, about popes, about parliaments, about conquering armies, about tax collectors, about priests. Each time it is asked seriously, the answerer has to decide how far down the chain they are willing to go.

Courts ask it too. Every court proceeding begins with the implicit premise that the court has jurisdiction. Usually this is taken for granted. When it is challenged — when someone asks, “By what authority does this court hear this matter?” — something interesting happens: the court has to look at the foundations of its own legitimacy. Most of the time, it is more comfortable not to. The highest courts have, in some of the most consequential decisions of the twentieth century, explicitly said that certain foundational questions are not justiciable — that is, they cannot be heard. The question is declared out of bounds, which is itself a kind of answer.

This book asks the question anyway.

A Map of the Argument

Figure 1: Map of the Argument — What We Will Trace

Present-day legal authority



National constitutions



Imperial / colonial statutes



The Crown and the Royal Prerogative



The Doctrine of Discovery

(three papal bulls: 1452, 1455, 1493)



Papal universal spiritual jurisdiction



The Petrine commission in scripture



The scripture that was edited

*by the institution claiming
authority from it*



[THE LOOP] – The institution is its own authority

At each step, we ask: is this a genuine foundation, or an assertion?

The answer, at every step, is: assertion. Backed sometimes by force, sometimes by widespread acceptance, sometimes by forgery, sometimes by editorial control of the texts the claim rests on. Never by something that stands outside the system and could adjudicate it from a neutral position.

H. L. A. Hart called this the “rule of recognition” — the social fact at the base of every legal system that cannot itself be legally justified. Hans Kelsen called it the *Grundnorm* — the foundational presupposition the system requires but cannot prove. Both were right. What neither fully explored is what it means when that foundational presupposition is not merely unprovable but demonstrably manufactured.

Think of it this way: a court cannot rule that courts have no authority, because the ruling itself would need to come from a court — which is precisely what the ruling denies. The system closes on itself. Hart and Kelsen were

describing a structural fact about every legal order. What this book adds is a historical fact: in this specific case, the *Grundnorm* was not merely unverifiable. It was manufactured.

That is the new territory this book enters.

Chapter 2: Constitutions All the Way Down

Every modern nation-state operates under a constitutional order. Every constitutional order traces, when followed back, to an act of foundation. Every act of foundation traces, in turn, to the prior authority that performed it. Follow the chain in any jurisdiction long enough and one of two things happens: the chain ends in a revolutionary moment that the order treats as self-justifying, or it ends — formally — in the authority of an institution claiming to grant sovereignty itself.

This is not metaphor. It is the documentary record.

The United States Constitution traces formally to the Declaration of Independence (1776), which traces to “self-evident truths” and “the Laws of Nature and of Nature’s God” — which is to say, to a higher authority asserted to replace the one being rejected. The chain was cut and re-spliced; it was not ended. Beneath the founding documents, the territorial sovereignty over which the new federation governed was acquired through processes that the Marshall Court would later articulate as the Doctrine of Discovery — *Johnson v. M’Intosh* (1823) explicitly grounding US property law in the discovery framework, with the citation chain still active in twenty-first-century litigation (*City of Sherrill*, 2005; *Lac du Flambeau*, 2023).

Canada’s Constitution Act of 1867 (originally the British North America Act) was an Act of the United Kingdom Parliament, granting confederation to British North American colonies. Constitutional autonomy was not formally complete until the Canada Act 1982. The Crown’s underlying claim to the territory derived from prior English and French sovereignty assertions, both ultimately resting on the discovery doctrine. The Indian Act of 1876 — still in force in modified form — codifies the relationship between the Crown’s claim and the prior peoples in operational law.

The Commonwealth of Australia Constitution Act 1900 was an Act of the United Kingdom Parliament. Australia’s federation preserved colonial powers (sections 106 and 107) rather than constituting them anew; if those pow-

ers were defective in their foundation, federation preserved the defect. The Australia Acts 1986 severed the last formal legislative links to Westminster, but did not — could not — reopen the question of how Crown sovereignty over the continent was originally acquired. (The Australian case is documented in detail in Chapter 11.)

India's Constitution (1950) followed independence from a British Raj whose authority traced through the East India Company's Royal Charter (1600) — a grant of trading monopoly that gradually became an instrument of territorial control. The Charter rested on the British Crown. The Crown's claim to grant such authority over the Indian subcontinent rested on no consent of the governed; it rested on the same broader European framework that authorised the original colonial expansions.

Most post-colonial states in Africa received their first constitutional framework from the departing colonial power, sometimes as a condition of independence. The boundaries of the modern African states are, with very few exceptions, the boundaries drawn by European powers at the Berlin Conference of 1884-85 — boundaries set without African representation, on a colonial-administrative logic that took precedence over pre-existing African politics. The “successor state” doctrine in international law preserves those boundaries even after independence: the new state inherits both the territory and the structural problem.

The specific constitutional documents differ country by country. The chain of derivation does not. Every constitution traces to a prior authority. That authority traces to a prior authority. Follow the chain long enough and it terminates at one of two places. In the cases this volume traces — the cases that constitute the present international order — the chain terminates at the Doctrine of Discovery: a framework through which European Christian monarchies claimed the right to take sovereignty over non-Christian lands. The Doctrine in turn traces to specific papal bulls issued in the fifteenth century. And those bulls trace to a claim of universal spiritual authority derived from a small handful of New Testament passages — the matter Part Two of this volume will examine in detail.

We are all living inside the same chain.

Figure 2: The Chain in Three Parallel Lines

USA	Declaration (1776) → English common law → Crown prerogative → Discovery doctrine → Papal bulls (1452-1493) → claimed spiritual warrant
Canada	Canada Act (1982) → BNA Act (1867) → Crown prerogative → Discovery doctrine → Papal bulls → claimed spiritual warrant

Australia	Australia Acts (1986) → Constitution Act (1900) → Crown prerogative (settlement / terra nullius) → Discovery doctrine → Papal bulls → claimed spiritual warrant
India	Constitution (1950) → independence from Raj → East India Charter (1600) → Crown prerogative → Discovery doctrine → Papal bulls → claimed spiritual warrant
African successor states	independence constitutions (1957–1980s) → Berlin Conference boundaries (1884-85) → European colonial claims → Discovery doctrine → Papal bulls → claimed spiritual warrant

Five chains. One terminus. The same warrant at the bottom of each.

AUSTRALIA	CANADA	BRAZIL
Constitution Act 1900 (UK)	Constitution Act 1867 (UK)	Constitution of 1988
Colonial Constitutions (ss. 106–107)	Colonial Constitutions	Spanish / Portuguese Colonial framework

Chapter 3: The Crown, the Prerogative, and the Act of Possession

THE CROWN / ROYAL PREROGATIVE



DOCTRINE OF DISCOVERY (Papal Bulls 1452–1493)



PAPAL UNIVERSAL JURISDICTION



PETRINE COMMISSION (scripture)



EDITED SCRIPTURE (Hidden Father evidence)



[THE LOOP]

The Crown is an unusual legal concept. It is not the monarch as a person. It is the legal persona of the sovereign — a continuous entity that persists through the deaths of individual kings and queens. When a colony was claimed in the name of the Crown, it was claimed by this continuous persona. The same legal device, by other names — la Couronne, la Corona, the State — operated for the other European colonising powers.

The Crown's claim to acquire new territory rested on the prerogative — the bundle of executive powers that the Crown holds independently of Parliament. The relevant prerogative is the power to acquire territory by one of three modes recognised in classical international law: settlement, conquest, or cession.

Settlement applied where the Crown's lawyers characterised the territory as *terra nullius* — Latin for “land of nobody” — meaning either uninhabited or inhabited by people without a recognisable legal order. Settlement was the doctrine applied to the entire Australian continent despite continuous human habitation extending back tens of thousands of years; the legal characterisation overrode the factual record. (The Australian case is treated in detail in Chapter 11.)

The American case operated under a related but distinct doctrine. Chief Justice John Marshall, writing in *Johnson v. M'Intosh* (1823), held that European discovery conferred title on the discovering nation, with Native Americans retaining only a “right of occupancy” that the discovering power could extinguish. Marshall's opinion is candid that the discovery doctrine was a legal construction adopted by the European powers among themselves; it did not derive from any consent of the prior occupants. The doctrine remains active US precedent and was cited in Supreme Court opinions in 2005 and 2023.

Cession operated by treaty. The Treaty of Waitangi (1840) is the closest the British Crown came to acquiring sovereignty by genuine negotiation. The Treaty's English and Māori versions say substantially different things — the English text purports to cede sovereignty; the Māori text (*te reo Māori*, signed by the great majority of Māori signatories) cedes only *kāwanatanga*, a more limited governance authority, while preserving *tinio rangatiratanga* (chiefly authority) over land and *taonga*. The Crown subsequently treated the English text as authoritative. The Waitangi Tribunal has been adjudicating the resulting breaches for nearly fifty years; the foundational question of whether the Treaty's English text reflected what was agreed is the question the Tribunal cannot reach.

In each case — settlement, discovery, cession — the prerogative claim depends on a characterisation of the prior occupants that the Crown's own records show its agents knew to be false at the time. Cook's Secret Instructions of 1768 explicitly distinguished inhabited from uninhabited territory and required consent from the natives of inhabited lands; Cook's 1770 claim of the eastern Australian coast described inhabitants and made no attempt at consent. Marshall's opinion in *Johnson v. M'Intosh* acknowledges, in passing, that the discovery doctrine is a legal construct adopted “in opposition to the actual condition” of the prior occupants. The Berlin Conference

of 1884-85 explicitly stripped the older theological justifications from the discovery framework while keeping its practical effect intact.

In equity, a principal who accepts the benefit of an agent's unauthorised act is treated as having ratified it. The Crown's acceptance of Cook's claim to the Australian east coast — and the establishment of the first colony at Sydney Cove in 1788 — can be analysed as ratification of an act that violated the Crown's own instructions. The point is not to state a modern legal result, but to observe that a core principle of agency law, applied symmetrically as an evidentiary analogy, places serious pressure on the foundational act.

The 1689 Settlement and Parliamentary Sovereignty

The modern British Crown does not rule by divine right. The Glorious Revolution of 1688-89 replaced James II with William and Mary on conditions; the Bill of Rights of 1689 established that the Crown held its power subject to Parliament's will. This was a revolutionary act dressed as constitutional continuity. Before 1689, the Crown claimed divine right — the monarch ruled because God ordained it. After 1689, the Crown rules because Parliament maintains it. Parliamentary sovereignty replaced divine right as the foundational principle of the British constitutional order.

This matters for the chain in two directions. Looking forward, the post-1689 constitutional orders of the Westminster realms (United Kingdom, Australia, Canada, New Zealand) trace to parliamentary sovereignty — a principle established by a revolutionary act whose legitimacy rested on nothing more than its success. Looking backward, before 1689 the chain runs through divine right, which runs through the Church. The institutional warrant Part Two of this volume examines is the warrant that, before 1689, was the Crown's only ground.

Chapter 4: The Doctrine of Discovery

On 18 June 1452, Pope Nicholas V issued *Dum Diversas*. The bull authorised King Afonso V of Portugal:

“to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and the kingdoms, dukedoms, principalities, dominions, possessions, and all movable and immovable goods whatsoever held and possessed by them and to reduce their persons to perpetual slavery...”

On 8 January 1455, Nicholas V issued *Romanus Pontifex*. It extended the earlier grant, confirming Portugal’s exclusive right to the territories it had already acquired and those it would acquire along the African coast and beyond:

“...granting to King Afonso, his heirs and successors... the said provinces, islands, harbors, and seas whatsoever, which hereafter, in the name of the said King Alfonso, and by his authority, shall come to be acquired, and which shall be obtained by discovery, quest, or any other manner whatsoever...”

The language is total. Not specific lands — all lands that might be acquired. The Pope is granting to a Portuguese king a right over the future, over territories not yet known.

On 4 May 1493, Pope Alexander VI issued *Inter Caetera*. Columbus had returned from his first voyage. Spain needed legal title to the new western lands before Portugal could claim them. The bull drew a line “one hundred leagues towards the west and south from any of the islands commonly known as the Azores and Cape Verde” and assigned all lands west of that line to Spain:

“...to give, grant, and assign forever to you and your heirs and successors, kings of Castile and Leon, all and singular the aforesaid countries and islands thus unknown and hitherto discovered by your envoys and to be discovered hereafter, provided however they at no time have been in the actual temporal possession of any Christian owner...”

The crucial phrase: “at no time have been in the actual temporal possession of any Christian owner.” Non-Christian possession did not count. The Pope was declaring that the entire non-Christian world — including its peoples, their governance structures, their land tenure systems, their legal traditions — had no standing in international law. Christian monarchs alone could hold legitimate title.

This was the Doctrine of Discovery. Not a metaphor. Not a historical curiosity. A legal instrument, invoked by name in the highest courts of the United States, Canada, Australia, and New Zealand well into the twentieth century.

The Doctrine Becomes Secular Law

The crucial moment in the doctrine’s transformation from religious decree to secular law came in 1823, when the Supreme Court of the United States decided *Johnson v. M’Intosh*, 21 U.S. 543.

Chief Justice John Marshall held that the principle of discovery gave European nations an absolute right to lands in the New World, and that Indigenous peoples had only a right of occupancy — not ownership — which could be extinguished by the discovering power. Marshall wrote:

“The principle was, that discovery gave title to the government by whose subjects, or by whose authority, it was made, against all other European governments, which title might be consummated by possession... the rights of the original inhabitants were, in no instance, entirely disregarded; but were, in no instance, allowed to interfere with the claims of the discoverer.”

Marshall’s achievement — if that is the word — was to translate a claim grounded in papal spiritual authority into a principle of secular American common law. The divine sanction was removed; the substantive outcome was preserved. Non-Christian peoples did not have title to their own land. Their “rights of occupancy” existed at the pleasure of the discovering power. *Johnson v. M’Intosh* is still binding precedent in the United States. It has never been overruled. Its reasoning has been applied, directly or by analogy, in courts across the common law world.

Figure 3: Doctrine of Discovery — Key Moments

DATE / INSTRUMENT / EVENT	SIGNIFICANCE
1155 Laudabiliter (Pope Adrian IV)	Granted Henry II authority over Ireland — earliest application of the framework to Christian peoples

1452 Dum Diversas (Pope Nicholas V)	“...to reduce their persons to perpetual slavery...” — authorised Portuguese conquest of Africa
1455 Romanus Pontifex (Pope Nicholas V)	Extended Portugal’s exclusive rights to acquired territories along the African coast and beyond
1493 Inter Caetera (Pope Alexander VI)	Spain given all non-Christian western lands; non-Christian possession declared legally invisible
1534 Act of Supremacy (Henry VIII)	English Crown absorbed papal ecclesiastical authority — framework continued without Rome
1770 Cook claims eastern Australia	Ignored own instructions requiring native consent; claimed inhabited land as terra nullius
1788 First Fleet establishes colony	Terra nullius applied — 65,000 years of continuous Aboriginal law declared legally non-existent
1823 Johnson v. M’Intosh (US Supreme Court)	Doctrine of Discovery entered secular common law; Indigenous peoples reduced to ‘right of occupancy’
1884–85 Berlin Conference	European powers divided Africa; principle of ‘effective occupation’ replaced theological language while preserving the logic
1975 Racial Discrimination Act (Australia)	First statutory limits on discriminatory native title extinguishment
1992 Mabo v Queensland (No 2) (High Court)	Terra nullius overturned — but foundational sovereignty declared ‘not justiciable’
2007 UN Declaration on the Rights of Indigenous Peoples	International framework affirming Indigenous rights; non-binding on signatory states
2023 Vatican repudiates Doctrine of Discovery	Holy See statement: “the Catholic Church therefore repudiates those concepts...” — papal bulls not formally rescinded

The Framework Without the Pope

After Henry VIII's Act of Supremacy in 1534, England had no formal relationship with Rome. Protestant nations could not rely on papal bulls for their colonial authority. But they did not need to. The framework — the presumption that Christian “civilised” nations had a right to take sovereignty over non-Christian “uncivilised” peoples — had already entered European law and practice. Protestant nations inherited it without the explicit theological justification and supplied their own: natural law, the duty to “civilise,” the necessity of spreading true Christianity (their version now), the right of superior political organisation to govern inferior political organisation.

England's charters to colonisers used virtually identical language to the papal bulls. Sir Humphrey Gilbert was authorised in 1578 “to discover, find, search out, and view such remote, heathen and barbarous lands, countries, and territories, not actually possessed of any Christian Prince or people.” The same categories: Christian/non-Christian, possessed/not possessed. Same logic, different issuer.

By the time of Australian colonisation in 1788, the framework was so deeply embedded in European practice that no one needed to cite the papal bulls directly. The logic had been absorbed into the general assumptions of the common law.

Chapter 5: The Petrine Commission and Its Problems

A note on the evidentiary weight of this chapter relative to the Pauline analysis. The case for the late composition or insertion of Matthew 16:18-19 rests on three convergent lines — form-critical vocabulary analysis, the absence of the verses from the parallel Marcan and Lucan scenes, and the patristic-silence record set out below. The third line is the most consequential and is, as a kind of evidence, weaker than the manuscript-level apparatus available for the Pauline corpus: there is no P46-equivalent for these verses, the earliest Matthew papyri are later and less diagnostic than the Pauline papyri, and absence-of-citation evidence is in general weaker than presence-of-variant evidence. The chapter is included because the convergent case is genuinely strong on its own terms and because the passage is structurally load-bearing for what follows. The reader is asked to weigh it as that — a strong convergent case from textual, form-critical, and patristic-silence evidence — rather than as something equivalent in evidentiary weight to the Pauline manuscript record. Appendix F restates this asymmetry explicitly. The chain of authority we are tracing requires us, at this point, to ask where the Pope's claim to universal spiritual jurisdiction — the claim that authorised the Doctrine of Discovery — actually came from.

The answer is a single passage. Matthew 16:17-19

“Blessed are you, Simon Bar Jonah, for flesh and blood has not revealed this to you, but my Father who is in heaven. And I tell you, you are Peter, and on this rock I will build my church, and the gates of Hades will not overcome it. I will give you the keys of the kingdom of heaven; whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosed in heaven.”

The Roman Catholic Church's claim to universal jurisdiction rests on verses 18-19. Peter is the rock. The Church is built on Peter. The keys of the kingdom give Peter — and his successors in Rome — binding authority in heaven

and on earth. From this single passage flows the entire edifice: apostolic succession, papal primacy, the authority to issue the Doctrine of Discovery, the spiritual basis for the entire colonial enterprise.

There are several problems.

The passage does not appear in the same form in the other Gospels. Mark 8:29-30 has the same scene — Peter's confession — but no "keys," no "rock," no church-building language. Luke 9:20-21 similarly. John 20:22-23 gives the binding authority to all the disciples together, not to Peter alone. Matthew 16:18-19 stands alone in providing the explicit Petrine primacy text. When a single Gospel carries a passage doing enormous institutional weight and the parallel accounts in the other Gospels are silent, that is a pattern the *By What Authority* series has encountered before.

The vocabulary is institutional, not Galilean. The word *ekklēsia* — translated "church" — does not appear in Mark or Luke's version of this scene, and its use in Matthew carries the sense of an organised, structured community with institutional continuity ("the gates of Hades will not overcome it"). In the context of a pre-crucifixion Galilean conversation, this is anachronistic. The phrase "gates of Hades will not overcome it" reflects an institutional anxiety about the community's survival against rivals — the concern of a church navigating persecution or internal challenge, not of a Galilean teacher addressing a small circle of disciples. *Basileia ouranōn* — the "kingdom of heaven" whose keys are being assigned — is a common Matthean term; in Mark and Luke the kingdom is dynamic and present, not something administered by a key-holder. The vocabulary cluster in 16:18-19 is, in register and concern, closer to second-century institutional Christianity than to first-century Galilean Judaism.

The Greek wordplay has no Aramaic equivalent. The famous pun — *Petros* (Peter, masculine noun) / *petra* (rock, feminine noun) — is a Greek wordplay. If Jesus was speaking Aramaic, as the historical consensus holds, the pun does not exist: the Aramaic *Kēphā* (rock / stone) is the same word used for both. The Greek text, in other words, carries a pun that could only have been composed in Greek, which is at minimum consistent with later literary creation. The Syriac Peshitta and the Aramaic tradition, sensitive to this problem, read the passage differently; there was no uniform ancient understanding that the Greek wordplay preserved authentic speech.

The patristic-silence pattern

The strongest case for the late composition of Matthew 16:18-19 as the load-bearing Petrine-primacy text is not stylistic. It is the patristic citation record — specifically, who quotes the passage, and when, and for what purpose.

The early Christian writers who would most benefit from Matthew 16:18-19 as an authority-text — those writing in the late first and early second centuries when the authority structures of early Christianity were being contested and defined — do not cite it.

Clement of Rome (1 Clement, c. 96 CE) writes extensively about order, authority, and legitimate succession in the Christian community. It is his most prominent theme. He does not cite Matthew 16:18-19.

Ignatius of Antioch (c. 107-117 CE) writes seven letters, several of which argue for episcopal authority and the authority of the bishop of Rome. He does not cite Matthew 16:18-19.

Polycarp (Epistle to the Philippians, c. 120-135 CE) does not cite it.

The Didache (c. 80-150 CE) does not cite it.

Justin Martyr (First Apology, c. 155 CE; Dialogue with Trypho, c. 160 CE) is the first major apologist writing in Rome. He cites Matthew extensively — the Sermon on the Mount, the birth narratives, the parables, the passion — but does not cite Matthew 16:18-19.

Irenaeus of Lyon (Against Heresies, c. 180 CE) is where the silence becomes most remarkable. In the same passage where Irenaeus discusses Peter's confession — quoting Matthew 16:17's "flesh and blood has not revealed this to you, but my Father who is in heaven" — he does not proceed to quote verse 18-19. He quotes verse 17, acknowledges the Father's revelation to Peter, and then moves on. For Irenaeus, who is deeply invested in defending apostolic succession and the authority of the Roman church against Gnostic claims, verse 17 is useful (it establishes that Peter had genuine divine revelation) but verses 18-19 are not used for their most obvious purpose: to establish Petrine primacy and the binding authority of the episcopal succession. If Matthew 16:18-19 existed in its present form and carried its present meaning in Irenaeus's copies of Matthew, his failure to deploy it in exactly the context where it would do the most work is very difficult to explain.

The first clear, explicit use of Matthew 16:18-19 as a foundation for Petrine authority in the episcopal-succession sense comes with Tertullian's *De Praescriptione Haereticorum* (c. 200 CE) — and even there, the editor of the Ante-Nicene Fathers notes that Tertullian's own usage, when speaking dogmatically rather than rhetorically, follows the pattern of the other Fathers: the "rock" is understood to be Christ, not Peter. Cyprian of Carthage (c. 250 CE) is the first writer to use the passage explicitly and consistently in the sense of Peter as the institutional foundation of episcopal authority, in *De Unitate Ecclesiae* (c. 251 CE). The gap between the presumed composition of Matthew's Gospel (c. 80-90 CE) and the first clear institutional deployment of its most institutional passage is roughly 160 years.

This matches the temporal pattern this series identifies in the Pauline interpolation evidence: passages that do disproportionate institutional work appear to be absent from — or unused by — writers who would most benefit from them, until the period when the proto-orthodox church is actively defining itself against rival claims. The parallel is structural, not proven to be causal: the Pauline interpolations cluster in the late second and early third centuries; the institutional deployment of Matthew 16:18-19 as a Petrine-primacy text clusters in the same period. That the same temporal signature appears in both cases is the documentary finding; what it means is the reading.

Walter Bauer's conclusion

The German historian and New Testament scholar Walter Bauer (*Orthodoxy and Heresy in Earliest Christianity*, 1934, English translation 1971), whose work on the geographic distribution of early Christianity remains foundational, reached a remarkable conclusion about Matthew 16:18-19 and the Petrine primacy claim from a purely historical-structural analysis: “If one asks why the decision went in favor of Peter, I find no answer in Matthew 16.17-19.” Bauer’s point is that the historical reason Peter became the apostolic foundation of the monarchical episcopate in Rome was not the text — the text was not the cause of the decision, but the validation of it, adopted after the decision had been reached on other grounds. The decision was reached, Bauer argues, in the period of the consolidation of the monarchical episcopate in Rome under Soter (166-174 CE), as the struggle with Marcion and Valentinus made a single authoritative teaching office necessary. The text was then deployed to legitimate what had already been structurally determined.

This is, in Bauer’s reading, not a conspiracy but an institutional logic: the text that fits the need becomes the text that is cited. The remarkable thing is not that Matthew 16:18-19 was used in this way — texts are regularly cited in the service of existing positions — but that it was not used in this way by the writers who preceded the consolidation, despite having every reason to use it.

What this chapter establishes and what it does not

What it establishes. The Petrine commission passage (Matthew 16:18-19) is unique in the Gospel tradition: absent from the parallel Marcan and Lucan scenes, carrying vocabulary more consistent with institutional second-cen-

tury Christianity than with a pre-crucifixion Galilean setting, containing a Greek wordplay that does not exist in Aramaic, and — critically — absent from the citation record of the writers who would most benefit from it until the period of the monarchical-episcopate consolidation in the late second century. The patristic silence pattern, combined with the vocabulary analysis, is consistent with a passage that was shaped or expanded in the redactional layer responsible for Matthew's law-positive and institutional-authority emphases — the same layer that shapes the Petrine commission more aggressively than the parallel Lucan pericopes.

What it does not establish. The verse-level manuscript apparatus for the Gospels is, for the purposes of this series, less fully developed than the Pauline analysis. There is no P46-equivalent here: the earliest papyrus fragments of Matthew that contain chapter 16 are later and less diagnostic than the Pauline manuscript evidence. The case for Matthew 16:18-19 as a shaped or expanded passage rests on form-critical analysis, vocabulary study, patristic citation patterns, and the structural-comparative argument with the Pauline interpolations — not on a direct manuscript-side demonstration of the kind the Pauline case can now make for passages like Romans 13:1-7 or 1 Corinthians 14:34-35. The arguments above are strong convergent evidence, not proof of the kind the Pauline work constitutes.

The conclusion for the chain is conservative and sufficient: the claim of universal papal jurisdiction, which authorised the Doctrine of Discovery, rested on a passage in a single Gospel whose authenticity is a matter of serious scholarly debate, whose form is without parallel in the other Gospels, and whose deployment as a Petrine-primacy text appears in the patristic record precisely when and where we would expect it if it had been shaped or sharpened in the late second century to serve the institutional consolidation then underway. Link 3 of the chain depends on this claim being at least contestable. It is more than contestable. It is, on the evidence assembled, a passage the institution needed before it could be what it became.

PART TWO: THE FRAUD

A note on the register of what follows. Part Two and Part Three use the language of common-law fraud, wilful blindness, crime against humanity, and analogous legal categories to describe the foundational acts traced in Part One. The use is deliberate. The acts being described are of the same structural kind as the acts those legal categories were developed to address — knowing misrepresentation to procure title, deliberate avoidance of evidence one has been given strong reason to consider, large-scale deprivation of life, liberty, and property pursued as state policy. The categories fit because the acts are of the kind for which the categories were made. The argument is not, however, that a court applying current doctrine would today entertain a private claim against a Crown, a parliament, or a successor state on these grounds; the standing, sovereign-immunity, limitations, and act-of-state doctrines that would block such a claim are themselves part of the architecture under examination. What follows is therefore a moral and structural argument framed in the legal vocabulary the system itself uses against private wrongdoers — not a courtroom claim being filed. The point of using the vocabulary is that it is the system's own. If the categories that condemn the petty version cannot be applied to the structural version of the same act, the question is what work the categories are actually doing.

Chapter 6: The First Documented Forgery

In the ninth century, a document began circulating in the Latin West that would shape European politics for six hundred years. It purported to be a grant by the Emperor Constantine the Great — who died in 337 CE — to Pope Sylvester I, transferring to the papacy “dominion over Judaea, Greece, Asia, Thrace, Africa and Italy and the various islands” along with temporal authority over Rome itself.

The Donation of Constantine was a forgery.

It was almost certainly fabricated in the papal scriptorium in Rome sometime in the mid-to-late eighth century — scholars generally date it between 750 and 850 CE. Its purpose was to provide documentary evidence for the Pope’s claim to temporal authority over the Western Roman Empire and, by extension, over the lands that its kings governed.

For six centuries, no one successfully challenged it. Popes cited it. Emperors argued about it. Wars were fought over territories whose legal status depended partly on what the Donation said. It was included in the *Decretum* of Gratian (c. 1150 CE), the foundational text of canon law that organised the Church’s legal system. The Donation was literally embedded in the legal code of the most powerful institution in medieval Europe.

In 1440, Lorenzo Valla, a Renaissance humanist working in the court of Alfonso V of Naples, produced a devastating philological analysis: *De falso credita et ementita Constantini donatione declamatio* (“Discourse on the Forgery of the Alleged Donation of Constantine”). Valla demonstrated that the language of the document was incompatible with fourth-century Latin — it contained words, phrases, and constructions that did not exist until centuries after Constantine. He showed anachronisms in the historical content. He demonstrated that the document was a fabrication.

The Church’s response was to suppress Valla’s work. It was placed on the Index of Forbidden Books. The Donation continued to be cited for decades after Valla’s refutation.

The Donation of Constantine is now accepted by all historians as a forgery. The Catholic Church no longer defends its authenticity. What this case demonstrates is not that the Discovery bulls were built on the Donation — they were not; they drew their warrant from independent theological architecture, specifically the claimed universal pastoral authority of the papacy over all unbaptised souls. What it demonstrates is the habit of the institution: for approximately six hundred years, the claim to temporal authority over European territories was maintained on the basis of a document that the institution's own scholars had shown, by 1440, to be fabricated. An institution capable of sustaining that for six centuries has demonstrated what it does when its authority is challenged by evidence.

Figure 4: The Self-Authorising Loop

Examples in the chain

Institution makes claim



Claim is supported by document



Document is produced / shaped / interpreted

by the institution making the claim



Institution's authority is confirmed

by the document it produced



[BACK TO TOP — the loop runs indefinitely]

EXAMPLE	MECHANISM
Donation of Constantine	Church fabricated temporal authority grant; cited for 600 years; proven forgery in 1440
Matthew 16:18–19	Passage used to claim Petrine primacy; absent from parallel accounts in Mark and Luke; contains second-century ecclesiastical vocabulary
Petrine succession	Pope's authority derives from Peter, whose primacy derives from a text the Church selected and preserved
Doctrine of Discovery	Pope grants colonial rights derived from universal authority derived from texts the Church canonised

The Donation of Constantine is the most egregious example because it is documented and admitted. But the structure it exemplifies — an institution producing or shaping the evidence for its own authority — runs through the entire chain.

Chapter 7: How the Letters Were Changed

This is where the By What Authority series enters the argument directly. The Pauline letters are the largest single contribution to the Christian New Testament by any one author. They are the primary Pauline theological foundation for doctrines that shaped Western history: grace, faith, law, freedom, the nature of Christ, the structure of the community. They are also — as the preceding two narrative volumes of this series document in detail — a corpus that was systematically altered.

The evidence for systematic alteration does not come primarily from speculation or ideological reading. It comes from three independent lines of inquiry that converge:

First, the manuscript record. The earliest surviving substantial Pauline manuscript, Papyrus 46 (P46), dated to approximately 175-225 CE, does not contain 1 Timothy, 2 Timothy, or Titus — the three “Pastoral Epistles” that provide the clearest instructions for church hierarchy, bishop qualifications, and institutional governance. These three letters appear in later manuscripts. The physical absence from the oldest manuscript is not a copying error; P46 has space and quire structure that would have included the Pastorals if they were part of the corpus P46’s scribe received.

Second, patristic attestation. Marcion of Sinope assembled the first known canonical collection of Paul’s letters around 140 CE. His *Apostolikon*, reconstructed from the hostile quotations of Tertullian (*Adversus Marcionem*, c. 208 CE) and Epiphanius (Panarion, c. 374 CE), shows a shorter version of the Pauline corpus — without the Pastorals, with shorter versions of several other letters, and with specific passages absent that appear in the canonical texts.

Tertullian and Epiphanius were opponents of Marcion. They were not trying to help him. When they quoted what Marcion’s text said or lacked, they had every incentive to exaggerate Marcion’s excisions rather than minimise them. Their testimony that Marcion’s text lacked certain passages is evi-

dence against Marcionite interpolation — if Marcion had been adding material to support his theology, his opponents would have said so instead of complaining that he was cutting.

Third, thematic pattern analysis. The material that is absent from Marcion's Apostolikon and from P46 — the material the Hidden Father methodology identifies as interpolated — clusters around a remarkably consistent set of ideological themes:

Table 1: The Seven Interpolation Themes

THEME	REPRESENTATIVE PASSAGES
Abraham-covenant continuity	Romans 4 (all); Galatians 3:6–25
Law-positive theology	Romans 2:14–29; Romans 7:1–25; Romans 3:19–20; Galatians 3:15–25
Israel / Gentile ingrafting	Romans 9–11 (as a block)
Wrath, vice, and judgment	Romans 1:18–32; Romans 2:1–13; Ephesians 5:6
Eschatological wrath + election theology	2 Thessalonians 2:2, 2:5–8, 2:10–14; 1 Corinthians 15:45–57 (partial)
Household codes (Haustafel)	Ephesians 5:22–6:9; Colossians 3:18–4:1
Submission to authority	Romans 13:1–7; Romans 16:25–27 (doxology)

Key vocabulary completely absent from retained Paul: branches, root, olive, grafted (Romans 11 olive-tree allegory); taxes (Romans 13:6–7); election (Romans 9–11).

This is not a random set of omissions. Each theme points in the same direction: toward tying Paul to the Old Testament God, toward legitimising hierarchy and obedience to authority, toward the institutional concerns of a church that needed Paul to endorse its legal and theological programme.

Romans 13:1-7: The Politics of Submission

No passage in the Pauline corpus has been more consequential for political history than Romans 13:1-7:

“Let every soul be in subjection to the higher authorities, for there is no authority except from God, and those who exist are ordained by God. Therefore he who resists the authority withstands the ordinance of God; and those who withstand will receive to themselves judgment...”

This passage:

- Is absent from Marcion's Apostolikon (Tertullian does not quote it against Marcion, which would have been devastating to Marcion's position if it existed in his text)
- Clusters with four other REM-flagged passages in the same Romans 13 chapter
- Contains vocabulary — “higher authorities” (ἐξουσίαις ὑπερεχούσαις), “taxes” (φόρους), “tribute” (τέλος) — that the thematic scan shows concentrated exclusively in excluded material
- Serves obvious institutional interests: a church seeking peace with Roman imperial authority needed Paul to endorse it

Its afterlife is enormous. This passage was invoked to justify obedience to the Third Reich by German Lutheran theologians. It was cited by apartheid-era South African churchmen to require submission to apartheid law. It is the foundational text for Christian nationalism's claim that existing government is divinely ordained. It has been used to silence opposition to every imperial and colonial regime that Christianity touched.

If it is not Paul's, it should not carry Paul's authority. Not because Paul is infallible. But because the argument that “God ordained this government” requires the textual foundation actually to say that. And the evidence that it does not — at least in the earliest recoverable Paul — is substantial.

The Pastorals: A Church Management Manual

First and Second Timothy and Titus contain the most detailed instructions for church hierarchy in the entire New Testament:

- Bishops must be “the husband of one wife, temperate, self-controlled, respectable, hospitable, able to teach” (1 Timothy 3:2)
- Deacons must similarly be vetted
- Women are to “learn in quietness and full submission” and are “not permitted to teach or to have authority over a man” (1 Timothy 2:11-12)
- Church elders are to govern with authority; those who dispute this are to be rebuked publicly

These three letters were absent from P46. They were absent from Marcion's collection. They are, by the majority view of New Testament scholars, not written by Paul — not because of our reconstruction, but because their vocabulary, ecclesiology, and institutional concerns are incompatible with the seven undisputed Pauline letters.

Bart Ehrman, one of the most widely read New Testament scholars in the world, is direct about this: “Critical scholars are virtually unified in thinking that Paul did not write the Pastoral Epistles.”

The vocabulary evidence is striking. The Pastoral Epistles contain 306 words that do not appear anywhere else in the Pauline corpus. They use the word “godliness” (εὐσέβεια) fifteen times; Paul in the other letters never uses it. They describe “sound teaching” (ὕγιαίνουσα διδασκαλία) and “sound doctrine” (ὕγιαίνουσα διδασχὴ) – a medical metaphor for theological correctness – that does not appear in the undisputed letters.

What this means for the chain of authority: the three letters most extensively used to establish the institutional church’s governance structure were not written by the apostle they claim as author. They are, in the technical sense, pseudepigraphical – written in Paul’s name by someone else. The church structure they mandate – bishop, deacon, elder, male authority, female submission – was instituted under claimed apostolic authority – claimed because, on the mainstream scholarly consensus this series adopts, the letters were not written by Paul.

Two verses that have shaped the lives of women across two millennia

“Let your wives keep silent in the assemblies, for it is not permitted for them to speak; but let them be in subjection, as the law also says. If they desire to learn anything, let them ask their own husbands at home, for it is shameful for a woman to speak in an assembly.”

The manuscript evidence for these verses is some of the most dramatic in the New Testament. In several manuscripts – particularly in the Western text tradition – these verses appear not after verse 33 but after verse 40. A verse that moves is a verse that was inserted. You cannot insert something and then also have it in the original position; the two traditions represent two different histories of the text, and both cannot be original.

Codex Vaticanus carries distigmai (umlauts) at 1 Corinthians 14:33-34 – scribal marks that the Vaticanus specialist Philip Payne has argued signal the scribe’s awareness of a shorter text at this point. Codex Sinaiticus carries multiple corrector overwrites at verse 35.

More fundamentally: these verses contradict Paul’s own instruction five chapters earlier. In 1 Corinthians 11:5, Paul discusses women praying and prophesying in the assembly – and regulates how they do it (with covered heads), not whether they do it. If they were required to be silent, the instruction about covered heads while speaking would be pointless. The two passages are internally inconsistent, and the interpolation hypothesis explains the inconsistency cleanly.

Walker (2001), who compiled the most systematic stylometric analysis of Pauline interpolations, identifies this passage as one of the clearest non-Pauline insertions in the corpus.

1 Thessalonians 2:14-16: The Antisemitism Seed

Three verses that travelled further than almost any others in the Pauline corpus:

“For you, brethren, became imitators of the assemblies of God which are in Judea in Christ Jesus; for you also suffered the same things from your own countrymen, even as they did from the Jews; who killed both the Lord Jesus and the prophets, and drove us out, and didn’t please God, and are contrary to all men; forbidding us to speak to the Gentiles that they may be saved; to fill up their sins always. But the wrath has come upon them at last.”

Four convergent signals mark this passage as a non-Pauline insertion. The Hidden Father adjudication classifies all three verses as REM with confidence $\geq 99\%$ (CONFIRMED).

Internal anachronism. The phrase the wrath has come upon them at last is past tense. The most natural referent is the Roman destruction of Jerusalem and the Temple in 70 CE — read as divine judgment on the Jewish people. 1 Thessalonians is otherwise dated around 50 CE, and Paul died around 64 CE. The verse cannot be Paul’s.

Theological discontinuity. The passage issues a collective verdict of divine wrath on an ethnic group — a rhetorical mode absent from Paul’s characteristic register in the undisputed letters. Paul argues, contends, and appeals; he does not pronounce retrospective collective punishment on peoples. The settled certainty of “the wrath has come upon them at last” belongs to the same rhetorical register as second-century theological antisemitism, not to the live correspondence of the 50s. The anachronism identified above confirms it: the formulation reflects a later settled position looking back at the Temple’s destruction, written by someone who knew how that destruction had been interpreted.

Source-critical convergence. Walker (2001) and Ehrman (2011) independently identify 1 Thessalonians 2:14-16 as one of the clearest interpolations in the Pauline corpus. The passage has been challenged in critical scholarship since at least Pearson (1971) and Schmidt (1983).

Marcionite witness. BeDuhn notes that the early sources directly attest only 2:14-15a, “failing to mention the most problematic material in 2:15b-16” — exactly the verses carrying the anti-Jewish wrath language.

The passage matters far beyond textual criticism. It is among the seed texts of Christian theological antisemitism. From the second century onward — and with particular intensity from the fourth century, when patristic writers including John Chrysostom drew on it directly — it was read as Paul’s own

warrant for treating the Jewish people as a divinely cursed nation, “contrary to all men,” under permanent divine wrath.

The passage matters far beyond textual criticism because of what was done with it. From the second century onward, and with particular intensity from the fourth century, 1 Thessalonians 2:14–16 was read by patristic writers — most notably John Chrysostom in his *Adversus Judaeos* homilies — as Paul’s own warrant for treating the Jewish people as a divinely cursed nation, contrary to all humanity, under permanent divine wrath. That patristic reading became the dominant institutional framing. Its trajectory across the medieval and early modern period is documented in detail in Yosef Hayim Yerushalmi’s *From Spanish Court to Italian Ghetto* (1971) and David Nirenberg’s *Anti-Judaism: The Western Tradition* (Norton, 2013), particularly chapters 7–9 on medieval and Iberian developments.

What 1 Thessalonians 2:14–16 contributed to this tradition was Pauline apostolic authority. The theological antisemitism that developed through the patristic and medieval church drew on multiple Hebrew-Bible texts and on patristic invention; but having a passage that could be read as Paul himself underwriting a hereditary collective curse gave the tradition a New Testament anchor it would otherwise have lacked. That is the specific way the passage was instrumentalised, and it is the specific damage that identifying it as an interpolation repairs: the Pauline apostolic authority it lent to that tradition was not Paul’s.

Removing the passage textually does not undo what was done with it across two millennia of theological reception. What naming it as an interpolation does achieve is this: the institution’s most damaging use of Pauline authority rested on a text that was not Paul’s. The antisemitic theological tradition that flowed from patristic readings of this passage claimed apostolic warrant. The claim was false. The warrant was manufactured.

What the Alterations Were For

The picture that emerges from the Hidden Father analysis is not of random scribal error or innocent interpretive expansion. On the reconstruction this series develops, it is of a systematic editorial programme with identifiable goals:

1. Tie Paul to the Old Testament. The Abraham-covenant and Israel-theology insertions make Paul continuous with the Hebrew scriptures — exactly the position proto-orthodox Christianity needed to establish against Marcionite claims that Paul’s God was not the Creator God.
2. Legitimise institutional hierarchy. The Pastorals, the women’s silence passages, the household codes — these establish the church as a properly

governed institution with defined roles, male authority, and mechanisms for suppressing dissent.

3. Endorse state authority. Romans 13:1-7 makes Paul a supporter of Roman governance — exactly what a church seeking legal tolerance needed.
4. Ground Paul in divine wrath. The wrath-and-judgment insertions make Paul's God one who punishes disobedience — creating the theological framework for coercive authority.
5. Embed an anti-Jewish polemic. 1 Thessalonians 2:14-16 inserts a Paul who underwrites collective ethnic curse, becoming one of the canonical texts in the Christian theological-antisemitic tradition. From the second century onward, patristic writers drew on it to frame the Jewish people as a divinely cursed nation under permanent wrath. That reading became institutionally dominant. The passage gave the tradition its apostolic warrant. Identifying it as an interpolation removes that warrant from Paul's name.

These are not separate edits with separate authors. The thematic consistency across multiple letters, the concentration of identical vocabulary in the excluded material, the pattern of patristic silence at exactly the right places — all point to a coordinated editorial programme across the Pauline corpus, carried out in the period when the proto-orthodox church was defining itself against Marcionite, Gnostic, and other competing readings.

A note on the word programme. The claim of programmatic coordination is not a claim that some individual editor sat in some single room and produced the canonical text in one pass. It is a claim of convergent ideological direction across multiple hands working in a defined period for an identifiable purpose — which is what the converging evidence (verse-level adjudication, vocabulary clustering, patristic silence, manuscript witness, Marcion's Apostolikon) establishes. This claim is consistent with — and is in fact independently supported by — the canon-formation work of David Trobisch (*The First Edition of the New Testament*, Oxford University Press, 2000), who argues from a different evidence base (codex form rather than scroll, uniform nomina sacra abbreviations across all 27 books, fixed manuscript order, uniform titles, and redactional framing material in Acts, 2 Timothy, 2 Peter, and John 21) that the New Testament was published as a single, deliberately edited “Canonical Edition” in the second century. Trobisch and the Hidden Father verse-level adjudication corpus are independent lines of inquiry that converge on the same picture: the New Testament was not a slow accretion of unrelated documents but a curated edition produced under definable institutional pressure. The Hidden Father case adds the content of the edition — what the editing was doing, ideologically — to Trobisch's case for that it is an edition. A critical reader who is not persuaded by the “programme” framing can downgrade it to “convergent ideological tendency in a

recognisable redactional layer” without disturbing the political-historical chain in Parts One, Three, and Five (see Appendix F for an explicit version of this fallback). The substantive point — that the editing has an identifiable institutional direction, and that the institution then deployed the resulting text to legitimise its own authority — does not depend on the strongest framing of the coordination claim.

The best available window onto when this programme was executed is the gap between Marcion’s *Apostolikon* (c. 140 CE) and the canonical texts that appear in the late second and third centuries. In that period, the proto-orthodox church had both the motive and the means.

Chapter 8: The Canon as Political Product

The New Testament we read today did not arrive as a pre-packaged revelation. It was assembled through a process that stretched over three centuries, was disputed at every stage, and was resolved as much by institutional power as by theological discernment.

The Council of Hippo in 393 CE and the Council of Carthage in 397 CE ratified the New Testament canon — the list of books that would be authoritative. But by that point, Irenaeus of Lyon (c. 180 CE) had already done the theological heavy lifting. In his *Adversus Haereses* (Against Heresies), Irenaeus argued for four Gospels — no more, no less — and for a Paul who was continuous with the Old Testament God. He explicitly rejected the Marcionite Paul.

Irenaeus’s theological choices became, in time, the institutional consensus. That consensus was then endorsed by councils, embedded in collections, and eventually codified as scripture.

Figure 5: Canon Formation — Key Moments

DATE / EVENT	SIGNIFICANCE
50–65 CE Paul’s letters written	Estimated dates of composition
90–110 CE Gospels written	Most critical scholars date Mark 65–70, Matthew and Luke 80–90, John 90–100 CE
130–140 CE Marcion assembles first Pauline canon (Apostolikon)	Shorter text; no Pastorals; some letters abbreviated — earliest known canonical collection
150 CE Justin Martyr cites ‘Memoirs of the Apostles’ in Rome	Gospels used liturgically but not yet formally canonical

170–180 CE Muratorian Fragment	Earliest known list of accepted Christian writings; includes most of NT; excludes Hebrews, James, 1–2 Peter
180 CE Irenaeus, <i>Adversus Haereses</i>	Argues for four Gospels; anti-Marcionite Paul; begins consolidating proto-orthodox canon position
207 CE Tertullian, <i>Adversus Marcionem</i>	Our primary source for Marcion's text
325 CE Council of Nicaea	Emperor Constantine presides; resolves Arian controversy; does not formally define canon but consolidates orthodoxy
367 CE Athanasius Easter Letter	First document listing exactly our 27 New Testament books
393 CE Council of Hippo	Ratifies the New Testament canon
397 CE Council of Carthage	Confirms the canon — 393 and 397 are the formal institutional endpoints of a three-century process
1546 CE Council of Trent	Formally defines Catholic canon (including Apocrypha)

What is notable about this timeline is the role played by political authority. Constantine's convening of Nicaea in 325 was not a theological act — it was an imperial act. Constantine needed a unified church for a unified empire. Theological disputes were destabilising. His solution was to use imperial authority to enforce doctrinal consensus.

The relationship between imperial power and canonical formation ran both ways: the empire needed a unified doctrine, and the church needed imperial protection and resources. The Council of Nicaea was the most visible moment of that exchange, but it was not the only one.

The Trinitarian formula in 1 John 5:7-8 in the King James Bible reads

“For there are three that bear record in heaven, the Father, the Word, and the Holy Ghost: and these three are one. And there are three that bear witness in earth, the spirit, and the water, and the blood: and these three agree in one.”

The italicised portion — the “Comma Johanneum” — is absent from virtually all Greek manuscripts before the sixteenth century. It appears in no early Greek codex, no early version, no early Church Father. It first appears in a

marginal note in a Latin manuscript of the fourth century, enters the Latin Vulgate tradition in the sixth century, and reaches the Greek text only in the fourteenth and fifteenth centuries — through back-translation from a Latin source.

Erasmus recognised its absence from Greek manuscripts in the sixteenth century and initially omitted it from his critical Greek edition. He was pressured to include it. He included it in his 1522 edition. It entered the *Textus Receptus* — the Greek text underlying the King James Bible — and from there became “scripture” for generations of English readers.

The Comma Johanneum is the Trinitarian proof-text. The explicit “Father, Word, and Holy Ghost... these three are one” is the clearest statement of Trinitarian doctrine in the entire New Testament. The doctrine is central to Catholic and most Protestant theology. The institutional stakes of its authenticity are enormous.

It is not in the earliest manuscripts. This is not controversial among textual scholars. The United Bible Societies’ Greek New Testament omits it. The Nestle-Aland critical text omits it. It is an insertion. Not a minor one — the clearest Trinitarian text in the Bible is not original.

Translation as Editorial Power

When Jerome translated the Bible from Greek and Hebrew into Latin — the Vulgate, completed around 405 CE — he made translation choices that were not neutral.

The Greek word *ekklesia* (from *ek* + *kaleo* — “called out”) meant, in ordinary Greek usage, a civic assembly or gathering. It carried no institutional connotations. Jerome rendered it *ecclesia* — the Church as a formal institution. Every reference to the early Christian community as a gathering of people became, in the Latin West, a reference to the institutional Church.

The Greek word *metanoia* (from *meta* + *nous* — a transformation of mind, a turning) was the word associated with repentance and spiritual reorientation in the New Testament. Jerome rendered it *paenitentia* — penance. Penance is not transformation of mind. It is a sacramental act administered by a priest. The mistranslation — or, more accurately, the institutional translation — converted an internal spiritual reorientation into a Church-administered sacrament.

These are not isolated examples. Raymond Brown, Bart Ehrman, and Bruce Metzger — none of them radicals — have documented the pattern extensively. The translation layer of the Vulgate consistently shifted authority from the individual and the gathered community to the institution.

Chapter 9: A Knowing Lie

At the centre of every dispossession this book traces sits the same question: was the legal characterisation an honest mistake later discovered, or a lie known at the time?

The records, in every major jurisdiction of the chain, show the latter. The actors knew what they were doing. The legal characterisation they applied was false to the facts they had themselves recorded. The dispossession was knowing.

The Admiralty's Secret Instructions to Lieutenant James Cook, dated 30 July 1768, distinguished explicitly between inhabited and uninhabited territory. Cook was instructed to acquire the consent of native peoples in inhabited lands and to take possession only with that consent; uninhabited lands could be claimed without it. Cook's journals, kept on the same voyage, describe a populated continent in detail — the appearance, customs, and tools of the peoples his ship encountered. On 22 August 1770, Cook claimed the entire eastern coast of the continent he had just described as inhabited, without consent, without negotiation. The instructions are held at the National Library of Australia. The journals are held at the British Library. The gap between the instruction and the action is documented; the Crown received the benefit of the unauthorised act and built the first colony on it.

Chief Justice John Marshall's opinion in *Johnson v. M'Intosh* (1823) is a candid document. Marshall does not argue that European discovery confers natural-law title; he holds that it confers legal title because the European powers, among themselves, agreed it would. Marshall writes that the discovery framework, "regardless of the actual condition" of the prior occupants, treats the territory as available to the discovering power. He acknowledges, in passing, that the doctrine "may be opposed to natural right and to the usages of civilized nations." He applies it anyway. The Court did not believe the framework was correct as a matter of justice. It applied it because the alternative was to dissolve the property arrangements built upon it. That is not an honest legal mistake. That is a knowing application of a framework the Court had identified as wrong.

The Berlin Conference of 1884–85 is a different kind of moment in the chain — and misreading it as simply the largest instance of the Cook / Adrian pattern misses what is historically significant about it. At Berlin, no one pretended the territories were uninhabited or *terra nullius*. Fourteen European nations and the United States divided a continent they knew was occupied, governed, and structured by existing political systems — and they did so openly, under rules they made for themselves, with no pretence that the prior occupants had consented or that theological warrant was required. The General Act of Berlin established “effective occupation” — physical administrative presence — as the test of colonial title. The theological language of the papal bulls was stripped away not because anyone doubted its fraudulence but because it had become unnecessary. The chain had achieved structural self-sustainment: European power was sufficient warrant for European power. That is not a knowing lie about the facts. It is the open operation of a structure that no longer required the lie.

The earliest test was the most revealing. Pope Adrian IV — the only English pope, born Nicholas Breakspear — issued the bull *Laudabiliter* in 1155, granting Henry II of England authority to conquer Ireland in order to “proclaim the truths of the Christian religion to a rude and ignorant people.” The Irish were Christian, had been Christian since the fifth century, and had produced some of the most significant theological and manuscript scholarship of early medieval Europe (the Book of Kells, the Lindisfarne Gospels, the work of Columba and the missionaries he sent across northern Europe). The category of “rude and ignorant” was applied to them anyway. The category was elastic by design. It could be applied to anyone the institution needed to apply it to. The pope and the king understood this perfectly. So did the Irish. In each of the earlier cases — Cook in 1770, Marshall in 1823, Adrian and Henry in 1155 — the actors had on record their own knowledge that the legal characterisation did not match the facts. None of them was an honest mistake later discovered. All of them were applied because the practical benefits of applying them outweighed the cost of admitting the truth. Berlin in 1884 is a different category: no false characterisation of prior occupation was required because the system had reached a stage at which it no longer needed one.

In any system of law that takes fraud seriously, knowingly applying a false legal characterisation to obtain title to property is fraud. The specific form — knowingly misrepresenting a material fact to procure a legal entitlement — is one of the oldest categories of fraud in the common law and its civil-law analogues. The system applies this principle to private parties without hesitation. A purchaser who acquires title knowing the underlying instrument was fabricated cannot keep the property; a contracting party who induces the contract by representing as fact something they know to be false

cannot enforce it. Apply the principle symmetrically and the foundational acts of the chain do not survive their own legal standards.

The knowing character of the original lie does not stay in the past. Each subsequent court that declines to examine the foundational acquisition — each court that accepts the chain's authority while acknowledging that the chain rests on what its own predecessors knew to be false — renews the lie at the moment of acceptance. The Mabo court (Australia, 1992) acknowledged the fraud of *terra nullius* and declined to examine the sovereignty built on it. The court did not lack the information. It refused to draw the conclusion the information required. (The Australian case is treated in detail in Chapter 11; the parallel cases in other jurisdictions are catalogued through Part Three.)

This is the structural condition of every jurisdiction that traces to the chain. The original act was a knowing lie. Each subsequent affirmation is the same knowing lie repeated, by parties whose continued claim to legitimate authority requires them not to look at it directly.

Chapter 10: By the System's Own Standards

Let us now apply the system's own legal principles to the chain we have traced. Not radical theory. The principles that Australian (and most common law) courts apply rigorously to private parties.

Table 2: The Fraud Checklist — Common Law Principles Applied to the Chain of Authority

ELEMENT	COMMON LAW TEST / EVIDENCE IN THIS CASE
Fraudulent misrepresentation	Knowing misrepresentation of material facts Terra nullius applied despite Cook's journals, Phillip's dispatches, the Batman Treaty interaction — all documenting inhabited land with people
Causation	Misrepresentation induced the other party to act Without terra nullius, the Crown needed a different basis (conquest or cession) requiring Indigenous consent or defeat
Damage	Identifiable harm flowing from the misrepresentation Dispossession of 65,000 years of continuous occupation; Stolen Generations; denial of legal standing; poverty; shortened life expectancy
Fiduciary breach	Fiduciary uses position of power to benefit at beneficiary's expense Crown positioned itself as 'protector' of Aboriginal people while systematically dispossessing them; trust funds never disbursed
Unconscionable conduct	Special disadvantage exploited by the stronger party Aboriginal people denied legal standing to give evidence in court for much of colonial history; excluded from legal processes deciding their fate
Unjust enrichment	Enrichment at another's expense without legal justification

	Entire Australian economy (pastoral, mining, urban land values) built on land obtained without payment, treaty, or consent
Nemo dat quod non habet	You cannot give what you do not have If Crown sovereignty is foundationally contested, later titles inherit the same foundational question rather than resolving it
Statute of limitations	Limitation runs from discovery; suspended where fraud concealed or victim locked out of courts Crown actively prevented Aboriginal people from accessing legal system; fiduciary relationship suspends limitation

STRUCTURAL OBSERVATION: At the level of analogy, the standard fraud framework helps describe the documented record. The entity whose foundational acts are in question controls the courts that would examine them, and the court has stated the foundational question is not justiciable. This is a structural observation about the architecture of the situation — not a finding of fact, not legal advice, and not a legal conclusion.

Two Maxims the System Has Not Applied to Itself

Two further common-law-logics belong on this list, and they are worth naming separately because of where they cut.

The first is *nemo iudex in causa sua* — no one should be a judge in their own cause. When a court is asked to rule on whether the sovereignty from which its own authority derives is legitimate, and it declines on the basis that examining the question would undermine its own jurisdiction, that is a court judging in its own cause. The interest is existential. The court's continued authority to sit depends on the answer being yes. A judge with that level of interest in the outcome of any other question would be required to recuse.

The system's response would be that *nemo iudex* applies to particular judges in particular cases, not to the judiciary's relationship to its own constitutional foundations. That is true as a matter of how the doctrine is currently scoped. But the principle underneath it — that a decision-maker with a direct interest in the outcome cannot be trusted to decide impartially — does not stop applying just because the interest is shared by every judge in the country rather than by one.

The second is *fraus omnia corrumpit* — fraud vitiates everything. If foundational instruments are alleged to have been obtained by fraud, the principle asks whether passage of time or accumulated practice can cure the defect. The system applies this kind of reasoning routinely to contracts, titles, and

conveyances. The point here is not to state a legal result, but to observe that the constitutional foundation is not usually examined through the same lens.

Fraus omnia corrumpit — fraud vitiates everything. The Latin is unqualified. It does not say fraud vitiates property chains, or fraud vitiates contracts where standing can be established in a court of competent jurisdiction. It says everything.

The system applies this principle across every domain it administers. In contract law, a contract induced by fraudulent misrepresentation is void ab initio — it never had legal effect, regardless of how many subsequent parties relied on it in good faith. In trust law, a trustee who acquires trust property through fraud holds it on constructive trust for the beneficiary regardless of how long the holding has continued; the passage of time does not cure the defect. In international law, the Vienna Convention on the Law of Treaties — Articles 48 through 52 — provides that a treaty procured by fraud, corruption, or coercion is void, not voidable; the instrument never bound the party deceived. In constitutional law, the logic appears in its strongest institutional form in Germany's Basic Law, whose eternity clauses declare certain provisions unamendable precisely because a constitutional order built on fraud or coercion cannot cure itself through its own amendment procedures. The principle is not property-specific. It is domain-general. The system knows this. It applies it without hesitation to private parties in every domain.

There is one domain where it has not been applied. The system's own foundational authority.

This selective non-application is not a jurisdictional technicality. Every court that has been asked the foundational question has declined to hear it — not because the principle has no relevance, but because applying it at that scale would require a court constituted under the chain to rule on the chain's own validity. That is the *nemo iudex* problem. The procedural obstacle is real. But a procedural obstacle to hearing a claim is not a substantive answer to the historical and structural question. The principle remains the system's own vocabulary for distinguishing legitimate authority from force. The point here is not to announce a present legal result, but to observe that the vocabulary the system applies elsewhere has not been allowed to examine the system's own foundation.

The selective non-application is itself evidence. When a system applies a general principle consistently to private parties across every domain for centuries, and then declines to apply it in the one case where doing so would threaten the system's own foundations, the pattern of non-application is not neutral. It is the continuation of the original problem by procedural means: the warrant is insulated from the very standards the system

applies elsewhere. The system applies *fraus omnia corrumpit* when it is convenient. It has not applied it here. That is not an oversight. It is a structural choice — repeated through institutions whose own authority depends on treating the foundation as settled.

What remedy follows, and through what process, is the political work Chapter 23 addresses. The principle's validity does not wait on the remedy's availability. The point here is structural and equitable, not a prediction that a modern court would apply private-law ratification doctrine directly to an act of state.

Chapter 6 of this volume provides a precise historical parallel. The Donation of Constantine — the document grounding papal claims to temporal authority over European territories — was exposed as a forgery by Lorenzo Valla in 1440. The Discovery bulls were issued by the same institution within a generation: *Dum Diversas* (1452), *Romanus Pontifex* (1455), *Inter Caetera* (1493). The Donation and the Discovery bulls do not stand in a causal chain — the Discovery bulls drew their warrant from papal universal pastoral authority, not from the Donation specifically. But they share an institution. And the Donation case establishes what that institution had already demonstrated it was capable of: maintaining a fabricated authorising instrument as operative long after its own scholars had shown the fabrication. The Doctrine of Discovery was not built on the Donation. It was built by the same institution that had already decided, once, that evidence of fabrication was not a reason to stop.

Force sustained by law across generations, with no viable exit, has a name. Orlando Patterson's structural analysis of slavery defines it not by chains but by social death: the systematic removal of a people's freedom, lineage, and future, enforced by legal apparatus. The *Requerimiento* — read in Spanish, to people who did not speak Spanish, from horseback, as a legal formality before the killing began — is force presenting itself as legal process. The Stolen Generations is state apparatus deployed to sever children from their languages, lineages, and legal traditions across generations. The Great Law of Peace — the Haudenosaunee constitutional order six hundred years older than the United States Constitution — was declared legally null by a court whose jurisdiction derived from a manufactured warrant. Each of these operates the structural definition of slavery without using the name. The naming choice is not incidental. It is part of how the structure persists.

The *Requerimiento* was read aloud on the coast of Darien in 1514 by a Spanish notary to assembled Cuna people. The reading was a legal formality — a requirement of the juridical structure before territory could be claimed and labour conscripted. The Cuna chief Careta listened to the translation. His response, recorded by the chronicler Peter Martyr, was that the Pope must have been drunk when he gave away lands that were not his to give. He was

enslaved the following day. The document that authorised it cited Romans 13:1–7. The chain runs from Paul’s letter — specifically the section this volume identifies as interpolated — through the papal bulls, through the notary, to Careta.

At the level of historical and legal analogy, the record overlaps with categories later named in international criminal law. Bringing Them Home (1997) found that the Stolen Generations policy satisfied the definitional elements of genocide under the 1948 Genocide Convention — specifically the forcible transfer of children and the deliberate infliction of conditions calculated to bring about a group’s physical and cultural destruction. No criminal liability was attached. The Nuremberg Principles (1950), adopted by the UN General Assembly as customary international law, established that acting under state authority does not relieve an individual of criminal responsibility under international law. But the enforcement gap is structural. The framework of international criminal law was constructed by the same states that benefited from the Doctrine of Discovery. The temporal scope of prosecution was set to begin after the foundational acts were complete. The system that defines crime wrote the definitions with its own foundational acts already outside them.

The Rome Statute (1998), the institutional successor to the Nuremberg Principles, is the most precise demonstration of the pattern. Its temporal jurisdiction begins on 1 July 2002. The Discovery doctrine, terra nullius, the colonial dispossessions, and the foundational removals were all complete before that date. The complementarity principle defers prosecutions to national investigations: the state that committed the foundational act investigates itself, finds nothing prosecutable, and the International Criminal Court is barred from acting. Referrals from the Security Council are subject to veto by the five permanent members, four of which are direct heirs of the colonial project. The United States, the world’s largest single inheritor of the chain, signed the Statute and then unsigned it. The institutional architecture is the architecture of permanent exemption. But the principle the Statute was built to implement — that crimes against humanity attach to individual responsibility regardless of state authority — is not itself a product of the chain. It is older than the institution that captured it. The institution can be captured. The principle, once articulated, cannot.

The architecture is not Australia-specific. Every state that derives present authority from the chain traced in this volume operates under the same structural conditions. The United States has *Johnson v. M’Intosh* (1823) as still-active precedent, an executive Federal Indian Boarding School Initiative (2022) that has produced findings of attempted destruction of Native American identities without criminal liability, and a refusal to ratify the Rome Statute. Canada has the Truth and Reconciliation Commission’s finding of

cultural genocide (2015) and the National Inquiry into Missing and Murdered Indigenous Women and Girls' explicit use of the term genocide (2019), with the Indian Act of 1876 still in force in modified form. New Zealand has the Treaty of Waitangi Tribunal making findings of Crown breach across nearly fifty years, with Crown sovereignty itself remaining unexamined. Germany has formally acknowledged the Herero and Nama genocide of 1904-1908 (2021), with the compensation package negotiated state-to-state and characterised as developmental aid rather than reparations to descendants. South Africa's Native Land Act of 1913 — the legal foundation of apartheid — was not the foundational fraud but the formalisation of dispossession that was already structurally complete. Each jurisdiction differs in detail. The pattern is identical. The state acknowledges enough to discharge the historical conscience without disturbing the structural benefits derived from the foundational acts. Across all five permanent members of the United Nations Security Council — each of which is tied to imperial or colonial state formation — the foundational question of by what authority the present sovereignty is held remains exactly where the system requires it to remain: outside the jurisdiction of any court the system itself authorises.

At the deepest root of the analogy, what is described here is not simply a wrong within a legal order. The law recognises a category called fraud in the factum: not fraud about the terms of an agreement, but fraud about the existence or nature of the instrument that purports to create rights and obligations in the first place. An instrument of this kind transmits nothing and validates nothing in the ordinary cases where the doctrine applies. The book does not mechanically transfer that doctrine to constitutional orders. It uses the analogy to name the structural question: what happens when force is converted into law, violence into sovereignty, and theft into title by a warrant whose legitimacy is historically and theologically contested?

This produces an inversion the system struggles to acknowledge. The legal order prosecutes theft, fraud, and coercion while resting, historically, on acquisitions this book argues belong in the same moral and structural family. Judges, officers, and legislators generally act in good faith within the offices they hold; this is not an argument about individual guilt. The problem is architectural: the office operates through a chain whose foundation has been placed beyond examination, so ordinary enforcement continues while the foundational question remains officially unasked.

That remains true for those who have not encountered the argument. For those who have — and particularly for those who hold institutional authority — the position shifts at the level of conscience. What was invisible becomes visible. The book does not convert that change into a legal conclusion about any person; it names the responsibility of having seen the question.

The Incremental Admissions

A pattern of incremental institutional admissions is itself evidence that the institutions know more than their formal conclusions admit. Each admission acknowledges one more piece of the underlying truth while stopping short of the conclusion those pieces imply.

Mabo (1992): *Terra nullius* was a fiction. Aboriginal people had land rights the Crown's sovereignty did not automatically extinguish. (But sovereignty itself remains unexamined.)

Eddie Koiki Mabo was a Meriam man from Mer Island in the Torres Strait. He had worked as a gardener and groundskeeper at James Cook University in Townsville, where he discovered that the state of Queensland had title to the land he grew up on. His name was on no deed. The land his family had cultivated for generations was, in the eyes of the law, owned by the Crown. He filed his claim in 1982. He died of cancer in January 1992, five months before the High Court ruled in his favour. The judgment that bears his name acknowledged the fiction. It did not examine the authority from which the fiction derived. The court could rule that *terra nullius* was wrong. It could not rule on whether the sovereignty that applied it was legitimate, because that would require the court to sit in judgment on the foundation of its own jurisdiction.

Bringing Them Home (1997): The Stolen Generations — the forced removal of Aboriginal and Torres Strait Islander children from their families — constituted crimes against humanity and genocide by some applicable definitions. (But no criminal liability was attached.)

The Apology (2008): Prime Minister Kevin Rudd formally apologised to Aboriginal and Torres Strait Islander peoples for the Stolen Generations. "We apologise for the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss." (But the legal framework remained unchanged.)

The Vatican Statement (2023): "The Catholic Church therefore repudiates those concepts that fail to recognize the inherent human rights of Indigenous peoples, including what has become known as the legal and political 'doctrine of discovery'." (But the papal bulls themselves were not formally rescinded.)

Truth and Reconciliation Commission of Canada (2015): The Indian Residential Schools system constituted cultural genocide. (But the Indian Act of 1876 remains in force in modified form, and the comprehensive land claims process operates entirely within the framework of unexamined Crown sovereignty.)

National Inquiry into Missing and Murdered Indigenous Women and Girls (2019, Canada): The pattern of violence against Indigenous women and girls satisfies the definition of genocide under the 1948 Genocide Convention. (But no constitutional reform of the Crown's underlying claim followed.)

Federal Indian Boarding School Initiative Investigative Report (2022, United States): The federal Indian boarding school system attempted the destruction of Native American identities and produced documented intergenerational trauma. (But the Marshall Trilogy — *Johnson v. M'Intosh* and its successors — remains active precedent in United States property law.)

Germany's acknowledgment of the Herero and Nama genocide (2021): Germany formally accepted that the colonial violence of 1904-1908 in present-day Namibia was genocide. (But the compensation package was negotiated state-to-state, characterised as developmental aid rather than reparations, and concluded without the consent of Herero and Nama representatives, who rejected the agreement.)

Waitangi Tribunal findings (1975-present, New Zealand): The Crown has been found in breach of the Treaty of Waitangi in dozens of inquiries across nearly fifty years. (But Crown sovereignty over Aotearoa-New Zealand is itself derived from the same Treaty whose breaches are being adjudicated; the question of whether the Crown ever validly acquired the sovereignty it now exercises in mediating Treaty breaches is precisely the question the Tribunal cannot reach.)

South Africa's Truth and Reconciliation Commission (1996-2003): Apartheid was a crime against humanity. (But the property distributions established under the Native Land Act of 1913 were not undone, and the foundational question of how the colonial sovereignty that authorised those distributions had been acquired was not asked.)

Each admission acknowledges a wrong while carefully preserving the structural benefits derived from that wrong. The admissions cost nothing economically. They protect the structure.

There is a legal dimension to the pattern that the language of admissions obscures. A partial admission — acknowledging specific wrongs while stopping short of the structural conclusion those wrongs imply — does not clear the confessor. It establishes something more precise: knowledge of the wrong at the moment of admission. The Vatican knew enough to repudiate the Doctrine of Discovery in 2023. The High Court of Australia knew enough to overturn *terra nullius* in 1992. The Australian government knew enough to apologise for the Stolen Generations in 2008. Each admission is also a timestamp. It records when knowledge was formally acquired. What the admitting party did afterward is what the record will show.

Each of those institutions has since continued to operate on the authority the admission calls into question. What does continued operation look like when the timestamp is in your own official record?

PART THREE: THE GLOBAL REACH

Chapter 11: Australia – The Documented Case

Australia provides the most documented case of the chain operating end-to-end in a single jurisdiction. The constitutional inheritance, the prerogative claim, the agent's instructions, the agent's act, the Crown's ratification, the colony's establishment, the prior peoples' continuous law, the eventual judicial admission, and the careful preservation of structural benefits — all are publicly available in the archival record. The case study is Australia not because Australia is unique but because Australia is exemplary. The same architecture operates in every jurisdiction Part Three examines; it is more easily seen here because the documents have not been lost.

The Constitutional Inheritance

The Commonwealth of Australia exists because of an Act of the United Kingdom Parliament. The Commonwealth of Australia Constitution Act 1900 (UK) received Royal Assent on 9 July 1900 and came into effect on 1 January 1901. Every power exercised by the Australian Federal Government derives, in formal terms, from this Act. The Australian Constitution itself was designed to preserve the powers the colonies already had. Section 106: “The constitution of each State of the Commonwealth shall, subject to this Constitution, continue as at the establishment of the Commonwealth.” Section 107: every power of the colonial parliaments continues except where transferred to the Commonwealth. Federation did not constitute state authority anew. It assumed state authority already existed and made arrangements about how state and Commonwealth would share it. If state authority was defective at its foundation, federation preserved the defect rather than curing it.

The Statute of Westminster (1931) gave the Dominions, including Australia, the power to override or repeal UK legislation. Australia adopted the Statute in 1942. The Australia Acts 1986 — both the UK Act and the mirroring Aus-

tralian Act — finally severed the last formal legislative links. After 1986 no UK Parliament could legislate for Australia, and Australian courts were no longer bound to refer constitutional questions to the Privy Council. This is often presented as Australia “completing” its independence. In the formal constitutional sense, it is. But the Australia Acts did not — could not — reopen the question of how the Crown’s sovereignty over Australian territory was originally acquired. They accepted the sovereignty as a given and adjusted its institutional expression. This is the pattern at every level of the chain: each constitutional evolution reorganises the power sitting above the foundation while carefully avoiding the foundation itself.

The Prerogative Claim and Terra Nullius

The Crown’s prerogative to acquire territory by settlement applied where its lawyers characterised the land as *terra nullius* — uninhabited or inhabited by people without a recognised legal order. *Terra nullius* was the legal characterisation applied to the entire Australian continent. Aboriginal peoples had maintained continuous law on the continent for approximately 65,000 years; the current scientific consensus, based on archaeological evidence at Madjedbebe in Arnhem Land, places initial occupation between 65,000 and 80,000 years ago. In 1788 the Crown applied a 200-year-old common law fiction to override that 65,000-year-old continuous legal tradition. The asymmetry is approximately 325-to-1.

The settlement doctrine required two supporting fictions. First, that Aboriginal peoples had no recognisable legal system. (They did — the Dreaming and its associated law is one of the oldest continuous legal traditions on earth.) Second, that the territory was sufficiently unoccupied that English law could be brought in by the simple act of settlement. (It was not — the continent was occupied at densities that varied with environment but were everywhere significant.) Both fictions were known to be false by the people applying them. Arthur Phillip knew. The Colonial Office officials who drafted the instructions knew. Cook had described a populated continent. Banks had described it. The earliest dispatches from the colony described it. The fictions were applied not because they were believed but because they were necessary to the legal characterisation that authorised the colony.

Cook’s Instructions and Cook’s Act

Cook’s Secret Instructions, issued by the Admiralty on 30 July 1768, said:

“You are likewise to observe the Genius, Temper, Disposition and Number of the Natives, if there be any and endeavour by all proper means to cultivate a Friendship and Alliance with them... You are also with the Consent of the Natives to take Possession of Convenient Situations in the Country in the Name of the King of Great Britain: Or: if you find the Country uninhabited take Possession for his Majesty...”

The instruction distinguished explicitly: inhabited lands required native consent; uninhabited lands could be claimed without it. Cook was specifically told to obtain consent if the land was inhabited.

He did not. On 22 August 1770, Cook claimed the entire eastern coast of Australia — which his own journals described as inhabited — without consent, without negotiation, without the process his own instructions required. The instructions are held at the National Library of Australia. Cook’s journals are held at the British Library. Both are publicly available. The gap between instruction and action is documented.

In equity, a principal who accepts the benefit of an agent’s unauthorised act is treated as having ratified it. The Crown’s acceptance of Cook’s claim — and the subsequent establishment of the first colony at Sydney Cove in 1788 — was ratification of an act that violated the Crown’s own instructions. This is not a debatable legal technicality. It is a core principle of agency law that the Crown’s own courts apply rigorously when private parties are involved.

1788: What Phillip Found

On 27 January 1788, Arthur Phillip stepped ashore at Sydney Cove. He did not find an empty land. He found people. Governor Phillip’s dispatches to London describe the Eora people in detail: their appearance, their language, their tools, their social organisation, their response to the colonists. His journals record interactions, conflicts, observations of customs and practices. The records are not silent. They are detailed. The colony was established in full knowledge of who was already there.

In any system of law that takes fraud seriously, knowingly applying a false legal characterisation to obtain title to property is fraud. The knowing lie of 1788 did not end in 1788. It was renewed with every subsequent act of enforcement. When Mabo acknowledged in 1992 that *terra nullius* was a fiction, the knowing continuation became a matter of formal record. Every property judgment, legislative act, and prosecution that has proceeded under the framework since that acknowledgment has been carried out in the full knowledge that the doctrine underpinning it was false. What was a historical wrong became, at that point, a maintained one.

The Batman Treaty (1835): What the Voiding Reveals

In June 1835, John Batman, a settler, travelled to the Port Phillip district (modern Melbourne) and negotiated what he called a treaty with Wurundjeri elders. He obtained their marks on a document purporting to convey a large area of land in exchange for blankets, knives, looking glasses, and other goods, plus a yearly tribute. Batman sent word to London: “I am the greatest landholder in the world.” The British Crown voided the treaty within months. Governor Bourke proclaimed it invalid: only the Crown could grant title to land, and individuals could not negotiate with Aboriginal people for it.

The voiding of the Batman Treaty is crucial. The Crown did not void it on the grounds that Aboriginal people lacked sovereignty or standing to convey land. It voided it on the grounds that it conflicted with the Crown’s own monopoly on land grants. The Crown knew Aboriginal people had standing. It suppressed that standing by monopolising the channels through which it could be exercised.

Mabo (1992): The Partial Admission

On 3 June 1992, the High Court of Australia handed down *Mabo v Queensland (No 2)* [1992] HCA 23. Justice Brennan, with the concurrence of the majority, overturned the doctrine of terra nullius. It was a moment of partial honesty.

But read what Brennan J. actually said about sovereignty

“The acquisition of territory by a sovereign State for the first time is an act of state which cannot be challenged, controlled or interfered with by the courts of that State... The recognition is accordingly an act of state in which the Court has no part.” (paragraph 31)

And, at paragraph 32: “Although the question whether a territory has been acquired by the Crown is not justiciable before municipal courts, those courts have jurisdiction to determine the consequences of an acquisition under municipal law.”

The court explicitly distinguished two questions. Whether Crown sovereignty was validly acquired: not justiciable. What the consequences of that acquisition are, assuming it was valid: justiciable. The court overturned terra nullius — finding that Aboriginal people had rights to their land that the Crown’s sovereignty did not extinguish — but refused to examine

whether the Crown's sovereignty was itself legitimately acquired. This is not a technical legal distinction. It is the system protecting itself from the question that would require it to examine its own foundations. The court acknowledged the fraud of *terra nullius*; it did not acknowledge the underlying fraud of sovereignty without consent. It could acknowledge only what it could continue to live with afterward.

The Catalogue of Subsequent Admissions

After *Mabo*, further admissions accumulated, each one narrow enough to leave the foundational structure intact. The *Bringing Them Home* report (1997) found that the forced removal of Aboriginal and Torres Strait Islander children from their families — the Stolen Generations — constituted crimes against humanity and genocide by some applicable definitions. No criminal liability was attached. Prime Minister Kevin Rudd's *Apology* (2008) formally apologised for "the laws and policies of successive Parliaments and governments that have inflicted profound grief, suffering and loss." The legal framework remained unchanged. The Vatican's 2023 statement formally repudiated the Doctrine of Discovery as a "legal and political doctrine"; the underlying papal bulls were not formally rescinded.

Each admission acknowledges a wrong while carefully preserving the structural benefits the wrong produced. None of them re-opens the foundational question. Together they establish, on the public record, that the system knows what it did and is choosing not to undo it.

The Complete Chain in One Place

Australia is the most documented case because the colony was established in the late eighteenth century, by a documented administrative apparatus, with surviving records on both sides of the transaction. Cook's instructions exist. Cook's journals exist. Phillip's dispatches exist. The colonial constitutions exist. The 1900 Constitution Act exists. The 1986 Australia Acts exist. *Mabo* is published. *Bringing Them Home* is published. The *Apology* is on the Hansard. Each step in the chain — and each step in the subsequent partial admissions — is part of the public record.

The case is exemplary because it cannot be denied. The same chain operates in every jurisdiction the next four chapters examine, but the documentary completeness varies. What follows is the same architecture, observed across the continents the chain reached.

Chapter 12: The Americas

The Doctrine of Discovery was not merely a legal backdrop to American colonisation. It was cited by name in the highest court of the United States in 1823 — and that citation has never been overruled.

Johnson v. M’Intosh turned on a simple question: could an American citizen hold valid title to land purchased directly from Native Americans? The Supreme Court said no. Marshall’s reasoning was explicit: European discovery conferred title on the discovering nation; Native Americans had only a right of occupancy; that right could be extinguished by the discovering power. The chain from *Dum Diversas* to a nineteenth-century American property dispute was direct.

Johnson v. M’Intosh was cited in 2005 in *City of Sherrill v. Oneida Indian Nation*. It was cited in 2023 in *Lac du Flambeau Band of Lake Superior Chippewa Indians v. Coughlin*. It remains active precedent.

In Central and South America, the chain was more explicit. *Inter Caetera* divided the New World between Spain and Portugal. Spanish theologians — most notably Francisco de Vitoria in the sixteenth century — debated whether the discovery doctrine was valid, but the practical effect was that Spanish colonial authority derived from a papal grant. The *Requerimiento* — a document read aloud to Indigenous peoples before conquest, demanding their submission to the Pope and the Spanish Crown and warning of war if they refused — is perhaps the most literal expression of the Doctrine in practice. It was read in Spanish, to people who did not speak Spanish, from horseback, as a legal formality before the killing began.

What Was Overridden

The Doctrine treated the Americas as legally empty. They were not.

The Haudenosaunee (Iroquois) Confederacy operated under the *Kaianere’kó:wa* — the Great Law of Peace — a constitutional system traditionally dated by the Seneca to 1142 CE and dated by academic estimates to

no later than the late twelfth century. It is widely regarded as the oldest continuing democracy on earth. The Great Law contains 117 articles governing the federation of six nations, separation of powers, war and peace, and the role of Clan Mothers in selecting leaders. Some scholars (notably Donald Grinde and Bruce Johansen) have argued that elements of the United States Constitution were directly influenced by Haudenosaunee governance — an irony given that the same European-descended polity that adopted those structures was simultaneously dispossessing the people who originated them.

The Aztec, Inca, and Maya civilisations operated sophisticated legal codes, court systems, and administrative bureaucracies that European observers documented in detail before destroying them. The Pueblo peoples of the American Southwest had continuous legal traditions going back many centuries, with documented governance structures that European colonisers found in operation when they arrived.

None of this counted, under the Doctrine. The Great Law of Peace was older than the United States Constitution by at least six hundred years. The Marshall court's reasoning in *Johnson v. M'Intosh* held that the discovery framework superseded all of it.

Chapter 13: Africa – The Berlin Conference

On 15 November 1884, fourteen European nations and the United States convened in Berlin at the invitation of Otto von Bismarck. They met to negotiate the division of Africa. Not one African representative was present. The Berlin Conference (November 1884 – February 1885) produced the General Act of Berlin, which established the rules for European colonisation of the African continent. The principle of “effective occupation” replaced the older discovery doctrine as the test for colonial title — a nation had to actually establish administration in a territory to claim it against other European powers. This was an agreement between colonising powers; it had nothing to do with the consent of African peoples.

The Berlin Conference is the starkest possible expression of the Doctrine of Discovery in secular form. The theological language had been stripped away. What remained was its logical core: European powers can divide non-European territory among themselves according to rules they make for themselves, and the peoples whose territories are being divided have no standing in the process.

In the generation after Berlin, the European powers proceeded to claim approximately 90% of the African continent. Populations that had self-governing kingdoms, sophisticated trade networks, legal systems, and political traditions going back millennia were categorised as subjects of European colonial administration overnight.

The Congo Free State — personally claimed by King Leopold II of Belgium in 1885 — is the extreme case. The rubber quota was enforced by severing the hands of workers who failed to meet their allocation; the British consul Roger Casement documented the system with witness testimony and photographs in his 1904 report to the Foreign Office. Leopold’s private administration of what is now the Democratic Republic of Congo is commonly estimated to have killed up to 10 million people between 1885 and 1908. The killing was motivated by rubber extraction. It was carried out under the le-

gal authority that the Berlin Conference framework had made available. The chain from papal bull to mass atrocity in the Congo runs through Romanus Pontifex, *Inter Caetera*, the Doctrine of Discovery, the principle of effective occupation, and Leopold's personal claim.

What Was Overridden

In 1235 CE — twenty years after Magna Carta, two and a half centuries before *Inter Caetera* — the Mandinka clans of West Africa proclaimed the *Kurukan Fuga*, the Manden Charter, at an assembly following the Battle of Krina. The Charter contained provisions advocating social peace in diversity, the inviolability of the human being, the integrity of the motherland, food security, the abolition of slavery by raid, and freedom of expression. UNESCO inscribed it on the Representative List of the Intangible Cultural Heritage of Humanity in 2009. The scholar Francis Njubi Nesbitt has argued the Manden Charter is a universalist human rights document that pre-dates the European declarations of 1776 and 1789 by over five centuries.

The Yoruba kingdoms — Ife, Oyo — operated continuous legal and administrative traditions for several centuries before European contact. The Ashanti Empire developed sophisticated customary law and a system of representation. The kingdoms of Benin, Kongo, and Great Zimbabwe operated complex legal and political structures that European observers initially treated as peer states for trade purposes — until the discovery framework made it convenient to treat them as no states at all.

The Berlin Conference dismissed all of this. The principle of “effective occupation” — that European administrative presence on the ground was the test of legitimate title — operated as if no prior administrative presence existed. The Mali Empire's territorial system, the Ashanti administrative apparatus, the centuries of operation of the Ethiopian state — none of it counted as “effective occupation” because none of it was European.

Chapter 14: Ireland — When It Happened to White Christians

A note on the source. *Laudabiliter* survives only in later transcriptions — most prominently in Gerald of Wales’s *Expugnatio Hibernica* (c. 1189) — and a minority of historians (notably Liebermann and, more cautiously, Sheehy in places) have questioned whether the bull as transmitted reflects an authentic 1155 grant from Adrian IV or a later twelfth-century reworking serving Henry II’s claim. This book adopts the mainstream scholarly position: Watt, Bartlett, and Duggan treat the substance of the bull — papal authorisation of an English campaign on the grounds of Irish religious-political ‘rudeness’ — as historically operative regardless of the precise transmission of its wording. The basis for that position is Alexander III’s correspondence in 1172, which explicitly confirmed and extended what Adrian was understood to have granted. The framework was relied on at the time and acted upon regardless of the transmission question. The argument that follows depends on the framework being operative. It does not depend on the disputed details of the 1155 text.

The Doctrine of Discovery was not invented for non-European peoples. Its logic was applied to Ireland six decades before the first papal bull about Africa or America.

In 1155, by the traditional account, Pope Adrian IV — the only English pope in history, born Nicholas Breakspear — issued the bull *Laudabiliter* (the wording surviving as transmitted by Gerald of Wales in the *Expugnatio Hibernica* c. 1189; see the source note above). It granted Henry II of England authority to conquer Ireland:

“...to enlarge the borders of the Church, to proclaim the truths of the Christian religion to a rude and ignorant people, and to root out the growth of vice from the field of the Lord..”

The Irish were Christian. They had been Christian since the fifth century — earlier, by most accounts, than England. They had produced some of the most significant theological and manuscript scholarship of the early me-

dieval period: the Book of Kells, the Lindisfarne Gospels, the work of Columba and Columbanus.

They were still deemed sufficiently “rude and ignorant” for papal authority to grant an English king the right to rule over them.

Laudabiliter is the critical test case for the global argument of this book. It demonstrates that the Doctrine of Discovery was never fundamentally about race. It was about the category of “uncivilised” — a category that any institution claiming to define civilisation could apply to whomever it needed to dispossess.

Irish people were white. They were Christian. They had a sophisticated written culture. None of this protected them from a pope deciding that an English king’s claim to govern them was consistent with the spread of Christian order.

The same logic that was applied to Aboriginal Australians, to the peoples of the Americas, to Africans — “your governance is insufficient, our authority supersedes it” — was applied to the Irish by the Pope who was their co-religionist. The Doctrine was structural, not racial. Any people could be slotted into the “not properly governed” category by whoever controlled the definition.

Eight hundred years of Anglo-Irish conflict, the Penal Laws, the Great Famine, partition — the specific shape of each period has its own causes. But the originating legal claim traces to Laudabiliter and the framework it encoded.

On the transmission question. Whether Laudabiliter survives in its original 1155 form or in a later twelfth-century reworking, the framework Adrian IV’s letter is recorded as encoding was operative within the historical chain that follows. Alexander III’s 1172 correspondence and the subsequent English claims to Ireland proceed on the same logic regardless of how the 1155 text reaches us. The argument of this chapter does not depend on the disputed transmission details; it depends on the framework being treated as papally authorised within the period and acted upon as such. The chapter’s claim is consistent with both the mainstream and minority positions on the bull’s transmission.

What Was Overridden

Ireland had its own legal system — Brehon law (Fénechas) — operating continuously from the pre-Christian Iron Age through the seventeenth century. It is one of the longest continuous legal traditions in Europe, with its earliest surviving texts dating from the seventh and eighth centuries CE and oral tradition reaching far further back. Brehon law had a developed body of ju-

risprudence on land tenure, marriage, contract, kinship liability, sanctuary, ecclesiastical matters, and the rights of women — including, in some respects, property rights more developed than those available to women under English common law many centuries later. Brehon law was administered by professional jurists (brehons) and operated alongside, and sometimes in tension with, ecclesiastical canon law.

The English suppression of Brehon law was not completed until the early seventeenth century, with the Statute of Kilkenny (1366) prohibiting its use among the Anglo-Norman population and the Case of Tanistry (1608) and final imposition of English common law under James I extinguishing it formally. A continuous legal tradition of well over a thousand years was characterised, in the language of the colonisers, as the absence of law — or as a primitive system rightly displaced by a more advanced one.

The pattern is the same as Australia's, North America's, Africa's: the prior continuous tradition is recategorised as no tradition. Laudabiliter's reference to "a rude and ignorant people" is doing precisely this work.

Chapter 15: The Pacific, Asia, and the Pattern Complete

Hawaii's annexation by the United States in 1898 followed decades of American commercial and strategic pressure. The legal basis for the final overthrow of the Hawaiian kingdom in 1893 was a military intervention on behalf of American business interests, without congressional authorisation. The subsequent annexation was effected by joint resolution — not by treaty, because the McKinley administration lacked the Senate votes. A joint resolution annexing another country's territory is not a treaty. It is an assertion of superior force.

Queen Lili'uokalani's response was to use the coloniser's own mechanisms. In 1897 she organised the Kū'e Petitions, collecting 21,269 signatures from Native Hawaiians opposing annexation — more than half the total native Hawaiian population. Four delegates carried the 556-page petition to Washington in December 1897. Senator George Hoar read it into the Senate record. The treaty failed: 46 votes against the 60 required. The democratic process, conducted entirely within the coloniser's constitutional framework, had worked. In response, Congress changed the mechanism. A treaty requires a two-thirds Senate majority. A joint resolution requires only a simple majority. The Newlands Resolution passed in July 1898. The flag was raised over Iolani Palace on August 12. Lili'uokalani sent a final protest letter to the House of Representatives. It was received. It was not acted on. The Filipino-American War (1899-1902) followed the Spanish-American War. The United States purchased the Philippines from Spain for \$20 million under the Treaty of Paris — Spain sold a country of 7 million people it had never fully controlled. The Filipino people were not consulted. When they resisted, the US military suppressed the resistance at a cost of some 200,000 to 600,000 Filipino civilian lives.

The oath architecture was the mechanism of submission. Apolinario Mabini was the intellectual architect of the First Philippine Republic — paralysed by polio, carried everywhere in a hammock, he served as President Aguinaldo's prime minister and drafted the Republic's constitution, which he modelled

on the constitution of the United States. When captured in December 1899, he refused the oath of allegiance to the United States. He was deported to Guam in January 1901 along with forty-two other Filipino revolutionaries. Every other prisoner took the oath and returned home in September 1902. Mabini held out alone. In February 1903 — his health failing, cholera spreading through Manila — he finally agreed to swear. He arrived back in the Philippines on February 26, 1903, swore the oath before the Collector of Customs, and published a manifesto: ‘After two long years I am returning, so to speak, completely disoriented and, what is worse, almost overcome by disease and sufferings.’ He died of cholera on May 13, 1903 — seventy-five days after his return. The man who wrote the Philippine Republic’s constitution, modelled on the constitution of the country that deported him, died a subject of that country.

India entered the British sphere through the East India Company’s Royal Charter — a grant of trading monopoly that gradually became an instrument of territorial control. The Company’s authority over Indian territory rested on no consent of the governed. It rested on a charter from the British Crown, whose authority rested on Parliament, whose sovereignty was established in 1689, whose religious settlement absorbed the logic of the Doctrine of Discovery.

The specific documents differ. The underlying logic is the same in every case. Christian European political organisation — later, simply “civilised” Western political organisation — has an inherent right to supersede other forms of governance. The peoples superseded have no legal standing to challenge the claim. The courts of the superseding power will not hear the foundational question.

What Was Overridden

The Hawaiian kingdom that the United States overthrew in 1893 was not a stateless space. The kapu system — the elaborate body of religious and civil law governing Hawaiian society — had operated for many centuries before European contact. The kingdom of Hawaii had been a unified constitutional monarchy from 1810, had its own constitution from 1840, had been recognised as a sovereign state by Britain, France, and the United States itself in the 1840s, and had treaty relations with multiple nations. The 1893 overthrow displaced a recognised state. The 1898 annexation by joint resolution displaced it again, by a method that even the United States’ own constitutional scholars at the time considered legally dubious.

In Aotearoa (New Zealand), Māori arrived approximately seven hundred years before British colonisation and developed tikanga — a comprehensive

body of law and custom covering land, kinship, war, peace, sacred space, dispute resolution, and the rights of leaders and commoners. Tikanga was, and remains, a continuous legal tradition. The Treaty of Waitangi (1840) is structurally interesting because — unlike Australia, where no treaty was made — there was a treaty, but its Māori-language and English-language versions differ on the critical question of what was ceded. Modern New Zealand jurisprudence has done significant work on the relationship between tikanga and Crown law, work that Australia has largely refused to undertake.

The Filipino societies the United States subjugated had operated for centuries with their own administrative structures, including the long-established Sultanate of Sulu and the various barangay governance systems. The Indian subcontinent had — and has — legal traditions (Hindu law, Islamic law, customary regional law) of comparable sophistication and considerably greater longevity than English common law.

In each case the prior tradition was older, more continuous, or in some respects more developed than the framework imposed on it. In each case the imposition declared the prior tradition either non-existent or insufficient. In each case the courts of the imposing power refused to hear the question of whether their own foundational claim was valid.

PART FOUR: THE THEOLOGICAL DISSOLUTION

A note for readers who came to this volume through the constitutional history rather than through Volume 1 — The Argument in Brief or Volume 2 — How Paul's Letters Were Edited. Parts One through Three documented what the institution built and what it displaced. Part Four turns to the textual case already argued in Volume 2 and asks what follows theologically if that case is granted. If you have not yet engaged the forensic evidence, read what follows as conditional: if the textual finding is correct, this is what it means.

Chapter 16: What Paul Actually Said

Strip the interpolations from Paul's letters — the Abraham blocks, the Israel theology, the submission-to-authorities passage, the women's silence verses, the household codes — and what remains is not empty. It is a voice that is, in some respects, more radical than the institutional Paul.

The retained Paul of the Hidden Father reconstruction (1,423 of 1,794 verses, 79.3% retained — 1,359 ATT plus 64 SUS-retained; 371 verses excluded as REM or SUS-excluded; full breakdown in Appendix B of this volume) contains a theology that is fundamentally incompatible with the institution that was built in his name.

On law: The authentic Paul is consistent and unambiguous. "Christ redeemed us from the curse of the law, having become a curse for us" (Galatians 3:13 — retained). "I died through the law, that I might live to God" (Galatians 2:19 — retained). "You are not under law, but under grace" (Romans 6:14 — retained). "The letter kills, but the Spirit gives life" (2 Corinthians 3:6 — retained). The law, for Paul, is the mechanism of condemnation, not salvation. Its function is to expose sin, not cure it.

On the God of law and judgment: On the transaction/grace reading argued in Volume 2, the God Paul's authentic letters describe is characterised by grace, not by legal transaction. "God demonstrates his own love for us, in that while we were yet sinners, Christ died for us" (Romans 5:8 — retained). "There is therefore now no condemnation to those who are in Christ Jesus" (Romans 8:1 — retained). On that reading, the God who gives grace outside the regime of law is a different figure from the God who authorises popes to grant colonial rights over non-Christian peoples.

On hierarchy: The retained Paul is pointedly egalitarian. "There is neither Jew nor Greek, there is neither slave nor free man, there is neither male nor female; for you are all one in Christ Jesus" (Galatians 3:28 — retained). The household codes and the Pastoral Epistles — the primary vehicles for insti-

tuting hierarchy — are not in the earliest manuscript; they carry the ideology of the interpolation programme.

On the nature of the community: Paul's communities practised economic sharing, common meals, dispute resolution among members, and a social mixing that violated conventional Roman hierarchy. The collection for Jerusalem — a transfer of wealth from Gentile churches to the Jerusalem community — is retained and extensively discussed. It is Paul's economics: solidarity over structure.

Before the Law

Underneath all of this — the egalitarianism, the dissolution of legal coercion, the pre-institutional community — sits Paul's deepest theological move. It is articulated most clearly in Galatians 3:17:

“Now this I say: A covenant confirmed beforehand by God, the law, which came four hundred and thirty years after, does not annul, so as to make the promise of no effect.”

This is not a minor or technical claim. Paul is making a foundational argument about chronology and authority. The covenant — the direct relationship between humanity and God that he associates with Abraham — preceded the law. Therefore the law cannot annul or supersede it. The earlier relationship is the more fundamental one.

The structural logic is general, even though Paul applies it to a specific Jewish theological history. The form of his argument is:

1. There existed a direct relationship before the legal framework was instituted.
2. That direct relationship was not contingent on the legal framework.
3. The later legal framework cannot retroactively void what existed before it.
4. Therefore the legal framework's claim to be the necessary mediator is false.

Paul develops this further in the same chapter. The law, he argues, was added “because of transgressions” (Galatians 3:19) — a temporary intervention. It functioned as a *paidagogos* (παιδαγωγός) — a household servant who escorted children to school, not the master of the house. Once the relationship is restored directly, the intermediary loses its function: “But now that faith has come, we are no longer under a tutor” (Galatians 3:25). The retained 2 Corinthians 3:6 sharpens this to its conclusion: “the letter kills, but the Spirit gives life.” The codified, written, institutional version of relation-

ship destroys the thing it claims to mediate. Direct relationship is the actual ground.

This logic is devastating to the institution that came to claim Paul's authority. The institution's entire structure — its codes, its bulls, its courts, its hierarchies — is precisely the kind of "tutor" that authentic Paul says has lost its function. The institution was using Paul's edited letters to override pre-existing relational traditions in territory after territory: traditions that, by Paul's own logic, were more fundamental than the framework being applied to override them.

Paul reached for the oldest precedent he could see — Abraham, perhaps four thousand years before his own writing. He could not have known how far back human relationship to land and to creation actually goes. We now know that the Iroquois Confederacy operated under continuous constitutional law from at least the late twelfth century — six centuries before the United States Constitution. We know the Mali Empire's Charter of Kurukan Fuga predated *Inter Caetera* by 250 years and the European human rights declarations by half a millennium. We know Brehon law in Ireland was a continuous legal tradition of well over a thousand years when Henry II received papal authority to suppress it. We know human peoples have maintained continuous direct relationship with country in Australia for at least 65,000 years — sixteen times longer than the Abrahamic horizon Paul could see, and three hundred times longer than the colonial framework that overrode it.

What this means for the chain this book traces is not a theological claim about those traditions. It is a historical one. The institution that used an edited Paul to override every prior tradition it encountered was deploying a derivative, manufactured authority against legal systems of far greater antiquity and continuity. Paul's argument about *nomos* (Paul's Greek word for law, used here for the wider law/covenant/retributive framework) as a temporary intervention was his argument, within his own theological horizon. The historical observation is separate: the institution claiming Paul's authority was doing so to extinguish traditions that preceded it by hundreds or thousands of years, operating on a structurally different architecture, and that had never been subject to the legal framework being applied against them.

What Paul Was Actually Dissolving

It is worth being precise here, because the argument can be misheard as a claim that Jesus or Paul came to dissolve all law of any kind, regardless of age. That is not the claim, and it is not what Paul says.

Volume 2 of this series, building from the manuscript and patristic evidence upward, identified the structural distinction Paul is actually drawing and called it the transactional logic and grace. The framework is summarised there as follows. Transactional logic is “the operating logic of the world as it presents itself. Law, retribution, hierarchy, conditional relationship, covenant boundary... obey and be blessed, disobey and suffer, sin and be punished, enter covenant and receive protection. This is the world’s deep grammar.” It is the architecture of every institution — religious, legal, political — that manages human conduct through reward and punishment. Grace is “the what Jesus embodied and Paul described. Non-transactional, unconditional, preceding repentance, indifferent to covenant standing... reaching toward everyone regardless of their standing, restoring before the accounting is complete, requiring nothing to receive.”

Volume 2’s central image for grace is the cosmological saying Jesus uses in Luke 6:35: the Father who makes his sun rise on the evil and the good, who sends rain on the just and the unjust — grace as the prior reality, addressed to everyone before any account of merit is rendered. Transactional logic that demands earnings before settlement is replaced by the operating logic of unconditioned reach.

What Paul dissolves, then, is the transactional architecture — coercive law as the mechanism of divine authority. What he reaches back toward in the language of “before the law” is not lawlessness but a different ordering: relationship that does not require institutional-coercive mediation to constitute it.

There is a vocabulary question hovering over all of this that is worth handling directly. The two architectures need names that ordinary readers can hold. The most accessible naming is functional: one architecture is retributive in its primary orientation (it identifies transgression and imposes penalty), and the other is restorative (it mends relationship after breach so that right ordering can resume). Most readers, including readers with no theological or legal training, can hold this distinction immediately. It is, in compressed form, the difference between the accounting that demands earnings before settlement and the reach that arrives before any account of merit is rendered.

A second naming, used in Volume 2 of this series, is the two opposed realities — transactional logic and grace. That naming carries the theological precision but requires Volume 2’s textual case to land fully.

A third naming is Paul’s own vocabulary: *nomos*, the law-principle he treats as a temporary intervention, and the prior promise that the law cannot annul. What Paul reaches back toward in the language of “before the law” is not lawlessness but a different ordering: relationship that does not require institutional-coercive mediation to constitute it.

This book uses the functional and theological vocabularies together because each does something the other does not. Restorative/retributive is the most accessible. Transactional/grace is the most theologically precise. *Nomos* names the Pauline target. The reader is invited to use whichever lands. The architectural distinction matters; the label matters less.

Third, there is a further irony that closes the loop. The authentic Pauline letters — as far as the reconstruction can be traced — treat the *nomos*-architecture, on the reconstruction defended in Volume 2, as a temporary order now superseded rather than an ongoing obligation. Paul's argument is not against a particular people or tradition; it is against the governing logic itself: binding subjection to a commanding sovereign, conditional belonging, retributive hierarchy. That is the architecture the Doctrine of Discovery carried into the world. The institution was not appealing to a neutral Pauline legacy. On this series' reconstruction, it was appealing to an edited Pauline legacy against a retained Pauline core that points in the opposite direction. This is not a minor terminological observation. It is the spine of the argument. What Paul dissolves is the transactional/retributive architecture. What he validates is the relational/restorative architecture. The institutional inversion the rest of this book traces is the use of the very theology that dissolved one architecture to authorise the imposition of that same architecture across most of the inhabited world.

This Paul does not give popes the authority to carve up continents. This Paul's God does not ordain submission to Caesar as a divine command. This Paul's community does not have bishops with governance authority over women who must remain silent.

Chapter 17: Marcion's Insight

Marcion of Sinope was born around 85 CE and arrived in Rome around 140 CE. He made a large donation to the Roman church — apparently the equivalent of what we would call a significant philanthropic gift — and proceeded to argue a theological position that the Roman church found intolerable.

Marcion read Paul seriously. He took Paul's anti-law theology at face value. He concluded — following the logic of Paul's retained letters — that the God Paul described was not the same as the God of the Hebrew scriptures. The God of the law — who commanded genocide, demanded blood sacrifice, operated through covenant and punishment — was the Creator God, the God of Moses and the prophets. The Father of Jesus — the unknown God whom Paul described as pure grace, revealed apart from the law — was a different being.

This is a radical claim. It is also, in its own way, a coherent reading of what Paul's authentic letters actually say. The two Testaments do describe God in markedly different ways. The problem Marcion diagnosed — the tension between the law-giving Creator God and the grace-giving Father of Christ — is real. Every theologian since has had to find a way to manage it. Marcion's solution was to declare it an actual contradiction, not a paradox to be harmonised.

The institutional church declared Marcion a heretic in approximately 144 CE. The speed of this response is itself interesting: Marcion was reading Paul and drawing conclusions. The speed at which those conclusions were declared heresy suggests that the institution recognised what was at stake. If Marcion was right, the Old Testament God — the one whose authority the Church needed for its claims to temporal power, for its continuity with Abraham and Moses, for its claim to be the heir of Israel's covenant — was simply not the God of Christ.

Tertullian wrote five books against Marcion. Irenaeus devoted large portions of *Adversus Haereses* to refuting him. More anti-Marcionite literature survives from the early Church than against any other single figure. The vehemence of the response indicates the threat.

The church won. Marcion's texts were destroyed. The Marcionite communities he founded dwindled over subsequent centuries. The church remained — with its Old Testament, its institutional law, its claim to be the heir of Abraham.

But Marcion's question — which Paul's authentic letters generate naturally — remained. The *By What Authority* series is, in one sense, the forensic documentation of what the church did to prevent Paul's own letters from asking it again.

The Father Hidden Specifically From the Institution

It is worth pausing to be precise about what “hidden” means here. The Father Paul reveals is not hidden from human knowledge in general. Paul writes letters announcing him; he is precisely the God being made known. What he is hidden from is the legal-religious institution that claimed exclusive access to him.

The retained 1 Corinthians 2:7-8 articulates this carefully: “God's wisdom in a mystery, the wisdom that has been hidden, which God foreordained before the worlds for our glory, which none of the rulers of this world has known.” The “rulers of this world” are not pagans incapable of knowing the divine; they are the institutional and religious authorities whose framework was inadequate to the God being revealed.

Most contemporary scholarship would not endorse Marcion's full two-Gods solution; it creates more theological problems than it solves. But Marcion's diagnostic instinct — that there is a structural tension between two different conceptions of divinity in the Pauline material — is one almost every serious reader of Paul has had to grapple with. The hidden Father is not the patron deity of any priestly institution. He cannot be — because, by Paul's own description, he is hidden specifically from the institutions that claim him.

This God cannot grant a pope authority over peoples who were never under the law. He cannot, in fact, grant any institution authority of that kind, because the granting of authority through legal-religious mechanisms is precisely the framework he stands outside. The institutional chain of authority — Pope to monarch to colonial administrator to court — runs through a God whose authentic theology dissolves the very mechanism the chain depends on.

Chapter 18: The God Who Dissolves Law

There is an irony at the centre of the entire structure we have traced that deserves to be stated as directly as possible.

The institutional framework we have been examining — the Doctrine of Discovery, the papal claims to universal jurisdiction, the divine right of kings, the submission-to-authorities theology, the hierarchy of bishop and elder and silent woman — all of this claims its authority, at some point, from the God that Paul reveals.

But Paul's God, in the authentic letters, is specifically and repeatedly described as the God who abolishes the category of law as a mechanism of divine authority.

Not: the law was temporarily suspended. Not: grace supplements the law. The law is done. "Christ is the fulfillment/end [telos] of the law for righteousness to everyone who believes" (Romans 10:4 — retained; directly attested in Marcion via Tertullian AM 5.14.6; a foundational Marcionite proof-text, per Bauer 1934). "If you are led by the Spirit, you are not under the law" (Galatians 5:18 — retained). "You have died to the law through the body of Christ" (Romans 7:4 — quoted here for context from the Rom 7 block, which our analysis does not exclude on verse-level for 7:4 specifically).

The God who, through Christ, dissolves the category of legal coercion as a mechanism of divine authority is specifically incompatible with an institution that:

- Claims to exercise divine authority through legal instruments
- Issues papal bulls granting colonial rights to monarchs
- Requires submission to civil authorities as a divine command
- Enforces silence, hierarchy, and obedience through institutional law

The institution that built the chain of authority this book traces derived its theological claim from the theologian who said the chain was dissolved.

Table 3: The Irresolvable Contradiction

PAUL'S AUTHENTIC THEOLOGY (from retained Pauline corpus)	THE INSTITUTION BUILT ON HIS EDITED LETTERS
"Not under law, but under grace" (Romans 6:14)	Issues legal bulls granting colonial dominion
"Christ redeemed us from the curse of the law" (Galatians 3:13)	Mandates submission to civil authority as divine command (Romans 13:1–7 — interpolated)
"There is neither slave nor free, neither male nor female... one in Christ" (Galatians 3:28)	Endorses slavery (Philemon misread; Pastorals mandate hierarchy)
"The Spirit gives life; the letter kills" (2 Corinthians 3:6)	Codifies law (canon law; Decretum of Gratian; Inquisition)
"God demonstrates his love while we were yet sinners" (Romans 5:8)	Creates mechanism of divine punishment for heresy and unbelief (including executing "heretics")
<i>The institutional programme required editing Paul's letters to suppress the contradiction. The Hidden Father evidence documents that editing.</i>	

Law, Grace, and the Question of Architecture

The structural contradiction described above can be put more generally without borrowing another tradition's vocabulary. The issue is not law in every possible sense. Communities need order. They need memory, repair, boundaries, and ways to carry obligations across time. The issue is a specific architecture: coercive command presented as divine authority, with breach answered first by penalty and relationship restored only after the account has been settled.

Volume 2 names the two opposed realities. Transactional logic is the operating logic of law, retribution, hierarchy, conditional relationship, and settlement after earnings. Grace is the Father's reach before the account is rendered, restoration before the debt is paid, and address to the particular person without institutional mediation.

The same distinction can be put functionally as retributive versus restorative. A retributive architecture is built primarily to identify transgression and impose penalty; the wrong is wrong against the sovereign's order, and punishment vindicates the sovereign's authority. A restorative architecture is built primarily to mend relationship after breach; the wrong is wrong against the relationship, and restoration of relationship is what the process

is for. Both architectures can contain secondary elements of the other. The question is which orientation is primary.

Table 4: Transaction and Grace

TRANSACTIONAL / NOMOS	GRACE / RESTORATION
Sovereign command constitutes the order	Relationship is prior to the account
Breach is answered first by penalty	Breach is answered first by repair
Belonging is conditional on compliance	Restoration reaches before worthiness is established
Authority runs downward through office and law	Authority serves the relationship it protects
Paul’s name: nomos, the paidagogos, the temporary order	Paul’s image: the promise before the law, the Father who reaches before reckoning
Volume 2’s central image of grace / restoration: the Father who makes his sun rise on the evil and the good, and sends rain on the just and the unjust — grace as the prior reality, addressed before any account of merit is rendered. Transactional logic states itself exactly as the demand for earnings before settlement.	

Three things follow from naming the distinction this clearly

First, this is not an argument for disorder. Paul is not replacing coercive law with nothing. He is replacing law as divine mediation with direct relationship, mutual obligation, and restoration. The retained Pauline material does not abolish responsibility; it relocates responsibility away from the sovereign-accounting mechanism and into relationship.

Second, the colonial-institutional framework the Doctrine of Discovery carried did not merely behave badly inside a neutral legal form. It used a sovereign-command architecture to declare prior legal and political orders void. Those traditions do not need Pauline interpretation to be legitimate; their standing belongs to their own peoples, histories, and laws. The point here is narrower: the institution invoked Paul to authorise an architecture that the retained Pauline material, on this series’ reconstruction, points away from.

Third, there is a further irony that closes the loop. On the reconstruction defended in Volume 2, the retained Pauline letters treat the nomos architecture as a temporary order now superseded — not what the colonial institution was propagating. On that reading, Paul’s argument is not against a particular people or tradition; it is against the governing logic itself: binding subjection to a commanding sovereign, conditional belonging, retributive hierarchy. The institution was not deploying Paul neutrally. It was deploying

the edited version of the theologian whose retained voice, on the reconstruction, describes what it was imposing as the bondage from which the gospel sets believers free.

The Antioch confrontation between Paul and Peter (Galatians 2:11–14, retained) is, on the transaction/grace reading, exactly what Volume 2 calls it: “transaction and grace in direct collision.” Peter’s withdrawal from table fellowship with Gentiles was transactional logic reasserting itself against grace. Paul opposed Peter to his face because the architectural question was foundational — and Paul’s position, on this series’ reconstruction, is the one recovered as authentic. For the two thousand years that followed, the institution built on Paul’s name operated closer, at the institutional level, to Peter’s side of that confrontation.

Chapter 19: The Self-Refuting Institution

We have now arrived at the structural conclusion of the argument.

The institution claiming universal spiritual authority derived that claim from scripture. The scripture it cited was, as Volume 2 argues, under its editorial control. The editing identified in that volume as performed on that scripture systematically removed the passages most incompatible with its institutional programme and inserted passages that legitimised it. The scripture that survived that editing process — the canonical New Testament — was then deployed to justify the Doctrine of Discovery, the divine right of kings, submission to authority, female silence, and the colonial enterprise. But the editing was not total. Paul's authentic voice was not erased — only modulated, interrupted, overlaid. The authentic letters remained in the canon because they were too widely known, too theologically important to Marcion's opponents' argument, to be removed entirely. What happened instead was insertion: the Abraham blocks, the law-positive theology, the institutional hierarchy passages were added around the authentic core, framing it in a way that made Paul's anti-law theology serve institutional purposes.

The result is a scripture that contradicts itself at the foundational level. What the reconstruction identifies as authentic Paul says the law is dissolved. What the reconstruction identifies as inserted material says submit to the authorities. Both are in the canon. The institution whose editing process, on this analysis, produced this result then positioned itself as the authoritative interpreter of how to resolve it — which always, conveniently, produced an interpretation that preserved institutional authority.

This is the circular foundation. The institution

1. Edited the text that authorises it
2. Claimed the text authorises it
3. Positioned itself as the sole authoritative interpreter of the text

4. Interpreted the text as authorising it

At every stage, the institution is its own source of validation. There is no external check. There is no independent authority to appeal to. If the Pauline interpolation case holds, the institution's foundation becomes circular in a specific way: it controlled the text, appealed to the text, and positioned itself as the authorised interpreter of the text it had controlled. On that reading, the problem is not merely that the *Grundnorm* is unprovable, but that part of the authority structure resting beneath it was editorially constructed.

What the Loop Destroyed

The self-validating loop is not an academic curiosity. It was deployed, in the centuries that followed its construction, to override actual legal traditions in actual places. It is worth being concrete about what those traditions were and what they had been doing before the institution declared them void.

Table 5: What the Institutional Loop Overrode

TRADITION	CONTINUOUS FOR / DECLARED VOID BY
Aboriginal Australian Law	65,000 years Cook 1770 / terra nullius (NSW Crown 1788)
Iroquois Great Law of Peace	600+ years (oral tradition: 880 CE) Marshall trilogy (US Supreme Court, 1823)
Brehon Law (Ireland)	1,500+ years Laudabiliter 1155; Case of Tanistry 1608
Mali Charter of Kurukan Fuga	Continuous oral tradition since 1235 CE Berlin Conference 1884–85
Hawaiian kapu / Hawaiian Kingdom	1,000+ years US-backed coup 1893; joint resolution annexation 1898
Maori tikanga	700+ years Treaty of Waitangi 1840 (versions in conflict)
Yoruba, Ashanti, Kongo, Benin legal systems	Centuries to millennia Berlin Conference; subsequent partition of Africa
Pueblo, Aztec, Inca, Maya legal codes	Centuries to millennia Spanish conquest under Inter Caetera framework (1493)

In every case the prior tradition was older — in some cases by enormous margins — than the framework that overrode it. The Australian case represents an asym-

metry of approximately 325-to-1 between the prior tradition and the colonial framework applied against it.

In every line of this table the prior tradition was older, in some cases by enormous margins, than the framework that overrode it. In every case the overriding framework rested, ultimately, on the loop traced above: institution edits scripture, claims scripture authorises it, interprets the scripture it controls, deploys the resulting authority to declare what came before it null. The Australian case is the most extreme — an asymmetry of about 325-to-1 between the prior tradition and the framework applied to override it — but the structure of the move is the same in every line.

The framework that overrode them was a nomos-architecture system, primarily retributive, in which transgression is wrong against the sovereign and penalty vindicates the sovereign's authority. Modern Western criminal law — punitive incarceration, the state as the wronged party in any criminal matter — is the fully secularised form of this architecture. The word "penitentiary" preserves its theological inheritance: the place of penance, where the soul receives its retribution from a sovereign whose claim runs back through the institutional chain this book has traced.

The point here is historical rather than comparative. The institution did not meet prior legal orders on their own terms; it declared them void through a sovereign framework whose warrant this volume has traced. The theological meaning of those traditions belongs to the people who carry them.

PART FIVE: BY WHAT AUTHORITY

Chapter 20: The Question the System Cannot Answer

Let us return to where we began.

You are sitting across the desk from a government official. The official has a demand. You ask: by what authority?

The official cites the legislation. You ask: by what authority does the legislature have the power to pass that legislation? The official cites the constitution. You ask: by what authority is the constitution supreme law? The official cites the Crown's grant of self-governance to the colony. You ask: by what authority did the Crown have sovereignty over this land? The official — if they are very well-informed — cites the doctrine of terra nullius. You note that the High Court overturned that in 1992. The official notes that the High Court said sovereignty is not justiciable. You ask: what does it mean that the highest court in the land has explicitly said it cannot examine whether its own authority is legitimate?

There is no answer to that question that does not either

- (a) Abandon the claim to legitimate authority, or
- (b) Acknowledge that the authority is maintained by force rather than legitimacy.

The system has chosen, consistently, a third option: declare the question out of bounds. Not justiciable. Not an appropriate subject for legal inquiry.

This is the system protecting itself from the question that would require it to change fundamentally. It is not a legal answer. It is a power arrangement dressed as a legal answer.

Indigenous Sovereignty and the Living Proof

Indigenous peoples on every continent the Doctrine reached are not historical evidence. They are living peoples with continuous governance tradi-

tions, ongoing relationships with country, and unextinguished claims to sovereignty. The Haudenosaunee Confederacy still issues its own passports — recognised inconsistently, but issued. The Sámi Parliament operates in three Nordic states. Māori iwi have negotiated, since 1975, more than seventy Treaty of Waitangi settlements with the New Zealand Crown. Indigenous nations across Canada have negotiated comprehensive land claims agreements with constitutional protection since the 1970s. Aboriginal and Torres Strait Islander peoples maintain their law on country across the Australian continent.

The pattern of formal acknowledgment varies by jurisdiction. New Zealand has its Treaty, however contested its application. Canada has Section 35 of the Constitution Act 1982, recognising and affirming Aboriginal and treaty rights. The Nordic states have varying levels of Sámi self-government. The United States has the residual doctrine of “domestic dependent nations” from the Marshall trilogy — itself a creation of the very Doctrine of Discovery framework that the Vatican has now disavowed. Australia, uniquely among comparable common-law jurisdictions, has neither a treaty nor constitutional recognition; the 2023 Voice referendum was defeated 60–40, with the reasons given for opposition (constitutional uncertainty, complexity, “divisiveness”) never engaging with the foundational question.

In each case, the surface debate is conducted at a level designed not to disturb the foundation. Treaty negotiations focus on the consequences of acquisition, not the validity of acquisition. Constitutional recognition is framed as an act of inclusion by the existing polity rather than an acknowledgment of the polity’s contingent foundations. The Vatican’s 2023 disavowal of the Doctrine of Discovery is acknowledged in academic and ecclesial circles but does not reach the courts that still cite *Johnson v. M’Intosh* as good law.

That is always how the system manages these questions — by finding a surface level at which they can be debated without disturbing the foundation.

What This Argument Is Not

Before proceeding, a distinction has to be stated plainly, because the argument this book makes can be read in two ways that lead to very different conclusions. The distinction between them is everything.

The first reading is a dispossession argument: the foundation was fraudulent, therefore the land should be returned, therefore the argument is ultimately a “give it back” claim. That reading is understandable. The foundational illegitimacy this book documents is inseparable from the history of territorial dispossession, and the practical consequences of acknowledging it

include questions about land, title, and reparation that cannot be wished away.

The second reading is a foundational-illegitimacy argument: the category of sovereignty-as-manufactured-warrant is itself the problem. Not “the wrong party holds the warrant” but “the warrant architecture is what needs to be examined.” What the prior legal orders documented in Chapters 12–15 and 19 were operating on was not a competing claim within the *nomos* framework. They constituted a different and older architecture entirely — custodial relationship to country and kin, constituted by ceremony and obligation rather than by title and warrant. That architecture did not require the same foundational claim the colonial system needed, because it was not organised around the *nomos* principle of sovereign command. It predated the colonial framework. It was never extinguished in the sense the manufactured warrant claimed.

This book is making the second argument, not the first. The point is not that Aboriginal sovereignty should replace Crown sovereignty. It is that the category of sovereignty as hierarchical manufactured warrant is itself the structure that the chain this book traces brought into being — and that the traditions it displaced were never operating in that category to begin with. The question the series is raising is not who should be in charge. It is whether the architecture of being-in-charge — the *nomos* grammar of hierarchical sovereign authority derived from a claiming act — is itself the thing that needs to be examined.

A further complication deserves acknowledgment. Aboriginal and Torres Strait Islander communities are not a monolith on how to respond to the existing framework. Many organisations and individuals are actively pursuing recognition within that framework — the Voice to Parliament, treaty processes, native title claims — precisely because they have made a considered pragmatic calculation that working within the system produces better material outcomes than contesting its foundations. That calculation is legitimate. The people making it know the terrain far better than this book does. This argument is not a challenge to those processes. Documenting that the foundation is void does not require anyone to stop pursuing treaty, recognition, or negotiation. The foundation’s illegitimacy is a fact about the system; what communities do in response to that fact is their decision, not this book’s.

The Uluru Statement from the Heart (2017) is useful here, and not as a political reference. Its formulation — “Sovereignty is a spiritual notion” — is doing exactly the work this book is trying to do by a different route. The Uluru Statement is refusing the manufactured-warrant framework and asserting something that predates and exceeds it: a form of sovereign relationship to country that does not derive from a claiming act, does not require a papal

bull or a court decision to constitute it, and was never extinguished because it was never operating on the plane the colonial claim occupied. The series and the Uluru Statement are pointing at the same structural fact from different directions. The series approaches it through textual analysis of the manufactured warrant's foundations; the Uluru Statement names it from within the living tradition the warrant claimed to override.

What this book is doing, then, is not arriving to claim the space. It is documenting why the claim to the space remains unresolved on the system's own terms. That is a different act. It leaves entirely open what any community, jurisdiction, or individual does with that documentation. The argument belongs to anyone who reads it. What follows from it is not the book's to determine.

What “By What Authority” Demands in Practice

The question is not a slogan. It is a demand for an account. Specifically, it demands that the system demonstrate the following:

1. Unbroken chain of legitimate authority — each link in the chain must be traceable to a source that does not derive from the claiming institution itself.
2. Consistency of application — the standards used to assess the legitimacy of the claim must be the same standards the system applies to other claims. You cannot apply due process to private property disputes while declaring the foundational acquisition of sovereignty “not justiciable.”
3. Honest accounting of what the system knows — the Vatican has now formally acknowledged the Doctrine of Discovery was wrong (2023). The High Court of Australia acknowledged terra nullius was a fiction (1992). The Canadian Truth and Reconciliation Commission documented the residential school system's wrongs (2015). The Australian government acknowledged the Stolen Generations (2008). The United States Congress acknowledged the illegal overthrow of the Hawaiian kingdom (1993, the Apology Resolution). Each acknowledgment is an increment of truth. The demand is that the increments be connected — that the truth not remain fragmented across disconnected admissions in different jurisdictions but be followed to the common conclusion they jointly point toward.

The evidentiary conclusion proposed here is that the foundational acquisition of sovereignty over Indigenous peoples' lands, in jurisdiction after jurisdiction, does not sit comfortably with the standard of legitimate authority those same systems recognise when applying their principles consistently.

That conclusion was already available to the Mabo court in 1992. The court acknowledged part of it and declined to examine the rest. Any participant in the current legal order who has followed this argument to this point has now encountered the question the Mabo court chose not to examine. What that changes, morally or institutionally, is not something this book can decide for any reader.

Chapter 21: The Architecture of Oaths

The chain Volume 3 has been tracing runs through documents: papal bulls, statutes, constitutions, judgments, manuscripts. Documents are how the system records and transmits its claim to authority. But documents do not, by themselves, hold any claim in place. A constitution is a piece of paper. A judgment is words on a page. A statute is print. The reason these documents continue to operate as binding is that, at every layer of the chain, a specific class of people have personally committed — by oath, on penalty of perjury and treason — to maintain, enforce, and where necessary use force to underwrite what the documents say.

The institution did not just write the documents. It built an entire architecture of sworn personal commitment around them. The monarch swears, on accession, to govern according to the laws and customs of the realm. Privy councillors swear. Members of parliament swear. Judges swear. Police officers swear (or “attest”). Public servants swear. New citizens swear. Barristers swear on admission. Every uniformed member of every armed force in every Westminster realm — and, by an analogous instrument, in the United States — swears.

This is not decoration. The oath is the load-bearing personal-commitment mechanism by which the documentary chain is converted into operative authority over actual human beings. Without it, the chain is paper. With it, the chain becomes the lived conditions of citizenship, employment, jurisdiction, and force.

This chapter examines that architecture honestly. It is not a chapter about what any sworn person should now do. It is a chapter about what every sworn person, at the level of their formal commitment, is actually being asked to commit to — and about a structural fact that ought to be impossible to look at and continue to look away from once it has been seen.

Thomas Cranmer drafted the coronation oath that Edward VI swore in 1547 and that has, in modified form, been sworn by every English and British

monarch since. Cranmer also drafted the first Book of Common Prayer, which embedded Romans 13:1–7 — ‘let every soul be subject to the governing authorities’ — into the liturgical architecture of the English state. He was burned at the stake in 1556 for heresy, having recanted and then un-recanted his recantation. In his final moments he thrust his right hand — the hand with which he had signed the recantation — first into the flames. The institution he had served, whose oath architecture he had designed, was the institution that killed him. The passage he had embedded in its liturgy was almost certainly not written by Paul.

Cranmer’s death also marks a wider pattern worth naming briefly, though it is not this book’s subject. The Reformation broke with Rome’s authority but did not dismantle this architecture; it reissued it. Wittenberg, Geneva, and Canterbury each answered the papal warrant with a warrant of their own — a new confession, a new consistory, a new coronation — each still requiring the same binding personal oath of its own office-holders, sworn to the same inherited text. The Reformation multiplied the number of authorities entitled to administer this architecture. It did not multiply the number of foundational texts they administered it from, and it did not remove the architecture itself. Readers who want the fuller case — five centuries of attempts to break this architecture from within, and what happened to the people who made them — are pointed to *The Unfinished Reformation*, a companion paper to this series.

A note on terminology before the chapter proceeds. “Oath” is used throughout as shorthand for “oath or affirmation.” In every Westminster jurisdiction (and in the United States and Canada), the two are by statute of identical legal force and effect — the affirmer is bound to the same content, exposed to the same perjury liability, and owes the same enforceable duties. Architecturally, they are equivalent in what this chapter is describing: both create the same load-bearing personal-commitment binding to the same chain of authority. The historical Quaker, Anabaptist, and related refusal to swear was originally a refusal of the architecture of binding sworn subjection itself — a position the legal accommodation defanged by retaining the binding content while substituting only the verbal form. Where the distinction between swearing and affirming is doing work in the argument that follows, it will be marked. Where “oath” appears alone, both forms are intended.

What Paul leaves on this question

If the institution that built the architecture of mandatory oath-taking in Christian Europe (and through European colonisation, in most of the world’s nation-states) had been working from the apostle whose authority it

most needed and most invoked, it would have built nothing of the kind. Because what Paul says about the architecture of binding personal subjection to human masters is unambiguous, distributed across the seven authentic letters, retained in every case as ATT (recoverable Paul) in the Hidden Father verse-level adjudication, and structurally aimed at exactly the institution-of-personal-bondage that the office-oath constructs.

The Pauline material does not consist of a single dramatic prohibition (“don’t swear an oath”). It does something architecturally deeper. It identifies binding personal subjection to human masters as the very form of bondage that the gospel dissolves, and it does so across multiple letters, in multiple idioms, with notable repetition.

1 Corinthians 7:23. The cleanest single verse:

“You were bought with a price. Don’t become bondservants of men.”

μὴ γίνεσθε δοῦλοι ἀνθρώπων — do not become slaves of men. *Doulos* is the standard Greek word for the bound personal-service relationship. Paul’s instruction is direct: do not enter into that relationship with another human master, because you have already been bought into a different relationship by Christ.

Galatians 5:1. The yoke metaphor:

“Stand firm therefore in the liberty by which Christ has made us free, and don’t be entangled again with a yoke of bondage.”

The *zugos* (yoke) is the standard first-century metaphor for binding subjection to a sovereign authority — the yoke an animal wears under its master, the yoke a conquered people wears under its conqueror. Paul says the gospel is freedom from this yoke and warns specifically against returning into one.

Galatians 4:8-11. The same architectural warning, named more concretely:

“However at that time, not knowing God, you were in bondage to those who by nature are not gods. But now that you have come to know God, or rather to be known by God, why do you turn back again to the weak and miserable elemental principles, to which you desire to be in bondage all over again?”

The *stoicheia* (elemental principles) are the institutional architectures of the world — the ordering structures of social, political, and religious life into which a person is bound. Paul’s question is direct: now that you have known the gospel, why are you binding yourself back into them?

2 Corinthians 1:17-20. Paul’s own yes/no formulation, defending himself against the charge of vacillation:

“When I therefore was thus determined, did I show fickleness?... so that with me there should be the ‘Yes, yes’ and the ‘No, no’?... For the Son of

God, Jesus Christ... was not ‘Yes and no,’ but in him is ‘Yes.’ For however many are the promises of God, in him is the ‘Yes.’”

Paul is using the simplest possible model of truthful speech: yes means yes, no means no, no further binding-formula required. The early Pauline tradition is operating in the same register that the Sermon-on-the-Mount oath material operates in, even though Paul’s own phrasing is a positive defence of his truthfulness rather than a prohibition on swearing.

1 Corinthians 3:21-23. The inversion of the institutional hierarchy:

“Let no one boast in men. For all things are yours, whether Paul, or Apollos, or Cephas, or the world, or life, or death, or things present, or things to come. All are yours, and you are Christ’s, and Christ is God’s.”

The architectural inversion is total. The believer does not belong to the chain of human authorities — including the apostolic authorities most likely to have such a claim. The chain belongs to the believer. The believer belongs to Christ. Christ belongs to God. The hierarchy of personal subjection to officeholders is not just relativised; it is reversed.

Romans 14:4. Direct relationship without mediation:

“Who are you who judge another’s servant? To his own lord he stands or falls.”

The believer’s accountability runs to Christ directly, not through the chain of human judges who claim authority over them.

Galatians 1:10. The mutual exclusion:

“Or am I striving to please men? For if I were still pleasing men, I wouldn’t be a servant of Christ.”

Service to men and service to Christ are presented as alternatives, not complements.

2 Corinthians 3:17. Liberty as the constitutive condition:

“Now the Lord is the Spirit and where the Spirit of the Lord is, there is liberty.”

Romans 13:8. The placement is itself the argument. Immediately after the interpolated 13:1-7 (which the Hidden Father adjudication confirms as REM at 98% — see Chapter 7 and Appendix C), Paul writes:

“Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law.”

The only debt the believer is to recognise is the relational obligation of love. Binding obligations to human authority are not on the list. The juxtaposition with the inserted 13:1-7 makes the architectural force of the editor’s work visible: the editor inserted the very kind of binding submission Paul’s next sentence dissolves.

The significance deepens at Romans 13:10. The word translated “fulfillment” there is πλήρωμα — not a word for satisfying requirements but a content word: the substance, the fullness, what something is made of. Paul does not say love satisfies the law’s conditions. He says love is the entire content of the law. There is nothing in the law except love. The law retains no independent authority to demand; love is what it was always made of. The editor inserted a passage demanding submission to governing authorities directly before a passage that dissolves law’s independent standing entirely.

Galatians 5:14. The same compression in a different letter:

“For the whole law is fulfilled in one word, in this: ‘You shall love your neighbor as yourself.’”

The whole architecture of binding obligation reduced to a single relational obligation — one which has no oath-form because it is not the kind of thing that needs to be sworn.

The verb πεπλήρωται — the perfect passive of πληρώω — carries the same semantic field as πλήρωμα in Romans 13:10: “has been filled,” “has been made full.” Not: law’s requirements have been met. Rather: the whole law has been filled up, its entire content brought to completion, and that content is this one thing. Strip the law down and nothing remains except love of neighbour. No independent authority survives.

Across all ten passages, the architecture Paul opposes is the same: binding personal subjection to human masters, sovereign claims, institutional officeholders, ritual gatekeepers, or the stoicheia of the world. The architecture he commends is direct relationship to Christ in liberty, with the only obligation toward other humans being the relational one of love.

This is not a verbal-form prohibition on the act of swearing. It is something more fundamental: a critique of the institutional architecture that makes binding personal commitment to a sovereign claim the constitutive act of office. Every layer of the oath-architecture catalogued in the next section — coronation through citizenship through bar admission through military enlistment — is precisely an act of becoming a bondservant of men, putting on a yoke of bondage, returning to the elemental principles, recognising a debt to a human authority other than the debt of love. Paul says, across multiple letters and in multiple idioms, that the gospel dissolves exactly this.

A complication should be acknowledged. Paul himself uses oath-like language in his letters — “God is my witness” formulations at Romans 1:9, Romans 9:1, 2 Corinthians 1:23 (in the very passage above), 2 Corinthians 11:31, Galatians 1:20, Philippians 1:8, and 1 Thessalonians 2:5. Paul is therefore not a witness for an absolutist no-verbal-oaths position. What Paul opposes is not the verbal form of swearing one’s truthfulness; it is the institutional architecture of binding personal subjection to a human sovereign.

The two are different speech-acts. “God is my witness, I am telling you the truth” is a personal truthfulness assertion. “I swear allegiance to His Majesty King Charles the Third, His heirs and successors, according to law” is an enforceable, lifelong, institutionally-backed subjection of the person to a sovereign claim. Paul’s own practice is the first; his architectural critique targets the second.

The Pauline witness is therefore not against the verbal form. It is against what the office-oath structurally requires: binding personal subjection to the sovereign’s claim.

What the institution built anyway

Beginning in the post-Constantinian period and accelerating through the medieval consolidation, the institution that claimed authority through Christ built — and required — exactly the architecture Paul’s letters describe as the bondage the gospel dissolves. In every Christianised polity that descends from the Western legal tradition, the operating chain of authority is held in place at every layer by a sworn personal oath that constitutes the office-holder as bondservant of a human master. The architecture, in canonical form across the Westminster realms (Australia, UK, Canada, New Zealand) and in close parallel in the United States, runs as follows.

The Coronation Oath. The keystone. In the United Kingdom, by the Coronation Oath Act 1688 (still in force, as amended), the monarch swears to govern the peoples of the relevant realms “according to the statutes in Parliament agreed on, and the laws and customs of the same”; to “cause Law and Justice in Mercy to be Executed” in all judgments; to “maintain the Laws of God and the true Profession of the Gospel”; and to “maintain and preserve inviolably the Settlement of the Church of England, and the doctrine, worship, discipline, and government thereof, as by law established.” King Charles III took this oath, in modified form, on 6 May 2023. The entire Westminster constitutional order rests on the Crown’s continuing performance of a sworn binding subjection to a sovereign claim that the institution then projects downward into every office that derives its authority from the Crown.

The Privy Council Oath. Every Privy Counsellor swears to “be a true and faithful Servant unto The King’s Majesty as one of His Majesty’s Privy Council... and that I will to my uttermost bear Faith and Allegiance unto The King’s Majesty.” Sworn by every senior minister, every Lord Chief Justice, and the equivalent senior office-holders across the Commonwealth realms.

The Parliamentary Oath of Allegiance. Every Member of Parliament in the UK, every Member of the Australian House of Representatives and Senate (Constitution s 42 + Schedule), every Canadian MP, every New Zealand MP must, before taking their seat, swear allegiance to the monarch. The Australian oath: “I, [name], do swear that I will be faithful and bear true allegiance to His Majesty King Charles the Third, King of Australia, His heirs and successors according to law. So help me God.” Refusal to swear (or to make the equivalent affirmation) means disqualification from sitting.

The Judicial Oath. Every judge, magistrate, and tribunal member in every Westminster jurisdiction swears, on appointment, an oath of allegiance plus a separate judicial oath: “I will well and truly serve our Sovereign Lord King Charles the Third in the office of [Justice / Judge / Magistrate]... and I will do right to all manner of people after the laws and usages of [the realm], without fear or favour, affection or ill will.” In the United States, federal judges swear under 28 U.S.C. § 453 to “administer justice without respect to persons” and to “support and defend the Constitution of the United States” — the same constitutional oath every federal officer takes (Article VI clause 3).

The Police Attestation. Every constable in England and Wales (Police Reform Act 2002 s 83 and Schedule 4) must, before exercising any police power, attest: “I... do solemnly and sincerely declare and affirm that I will well and truly serve the King in the office of constable...” with a duty of “fairness, integrity, diligence and impartiality, upholding fundamental human rights and according equal respect to all people.” The Australian state and federal police equivalents are structurally identical. This attestation is the legal source of the constable’s powers of arrest, search, and the lawful use of force; without it, the powers do not attach to the person.

The Public Service Oath / Affirmation. Every Australian Public Service employee, on commencement, makes a declaration of allegiance and fidelity (Public Service Act 1999, s 22). UK civil servants similarly. US federal employees take the federal oath of office under 5 U.S.C. § 3331 — the same wording as the military: “I will support and defend the Constitution of the United States against all enemies, foreign and domestic.” Every public servant operates, legally, on the basis of a sworn personal commitment to the constitutional order.

The Citizenship Oath / Pledge. Every person who becomes a citizen of Australia, the UK, Canada, New Zealand, or the United States must, as the legal moment of becoming a citizen, swear (or affirm) an oath of allegiance. The Australian pledge (since 1994): “I pledge my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I will uphold and obey.” The UK and Canadian forms swear directly to the monarch. The US oath of naturalisation requires the new citi-

zen to “absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty” and to “support and defend the Constitution and laws of the United States.”

The Bar Admission Oath. Every barrister and solicitor admitted to practice in any common-law jurisdiction takes a personal oath, varying by jurisdiction but uniformly invoking allegiance to the Crown (or the Constitution) plus a separate oath of fidelity to the court. Without taking it, the person cannot practice.

The Military Oath. Already canvassed below — the load-bearing extreme of the architecture, where the personal commitment extends to the willingness to use lethal force.

The list is not exhaustive. Magistrates’ clerks, justices of the peace, members of statutory tribunals, military officers on commission (a separate oath from the enlistment oath), foreign-service officers, jury members at the start of every criminal trial — the architecture extends downward into almost every layer at which the operative authority of the chain meets an actual person.

The pattern, when laid out, is unmistakable. The legal-political order that emerged from Christianised Europe and was exported through the Doctrine of Discovery to most of the world is held in place, at every layer, by exactly the architecture of binding personal subjection to human masters that Paul, in the corpus the institution itself preserved and canonised, names as the bondage from which the gospel sets the believer free. The institution did not preserve a quiet exception for ceremonial commitments; it made the swearing of binding personal oaths the constitutive act of every office of authority within its reach.

The historical refusal and the right to affirm

The contradiction has not gone unnoticed. Across the post-Reformation centuries, several Christian traditions refused to take binding personal oaths to civil authority, suffered for the refusal, and eventually won statutory accommodation in the form of the right to affirm rather than swear. The historical record matters for the present argument not because the project’s own grounding is the same as theirs — they argued primarily from the Sermon on the Mount and from James, the project’s argument here is from Paul — but because the historical record shows that the architectural problem named in this chapter has been visible to Christians who actually attended to the canonical text for at least five hundred years, and that the institutions affected have grudgingly admitted as much in their own statute books.

The Anabaptists. The Schleithem Confession (Switzerland, February 1527), the earliest comprehensive statement of Anabaptist doctrine, includes oath-

refusal as one of its seven articles. The Anabaptists were systematically persecuted across Europe, in significant part because their refusal to swear oaths of allegiance to local authorities was treated as sedition.

The Quakers (Religious Society of Friends). From the movement's beginning under George Fox in the 1650s, Friends refused to swear any oath — including oaths of allegiance, judicial oaths, and oaths in commercial transactions. The English state's response was the Quaker Act 1662, which made refusal of the Oath of Allegiance a criminal offence punishable by imprisonment and seizure of property. Thousands of Quakers were imprisoned; many died in prison. The legal accommodation came only with the Affirmation Act 1696, which permitted Quakers to affirm in civil cases, and was extended over the next two centuries through a sequence of statutes culminating in the Oaths Act 1888, which generalised the right to affirm to all persons in all proceedings. Australia inherited this regime; the Oaths Act equivalents in every Australian state and the Evidence Act 1995 (Cth) s 22 explicitly preserve the right to affirm.

The Mennonites and Brethren. Anabaptist descendants who carried the same refusal into North America, where the Affirmation Acts of the British and later American jurisdictions allowed continued practice without persecution.

The legal accommodation matters not because it resolves the architectural problem this chapter has been describing — it does not. The option to affirm rather than swear still requires the same binding personal commitment to the same sovereign claim, with only the verbal invocation of God removed. From the perspective of the Pauline architectural critique, an affirmation is structurally indistinguishable from an oath: both make the office-holder a bondservant of men, in 1 Corinthians 7:23's terms, and both put on the yoke of bondage of Galatians 5:1. The grammatical change accommodated by the Affirmation Acts addresses the surface verbal form of the older Quaker/Anabaptist objection (which was indeed primarily about the verbal swearing-by-God), not the deeper architectural one this chapter has been making.

What the legal accommodation does establish, however, is that the contradiction has been visible enough to require legislative response for over three centuries. The state would not have built two centuries of incremental statutory relief if the underlying objection had been frivolous. The state knew, by the time of the Affirmation Act 1696 at the latest, that there were Christians whose conscience required them to refuse the architecture, and the state grudgingly accommodated them in form rather than continuing to imprison them at the rate the Quaker Act had enabled. That accommodation is the system's tacit acknowledgment that the architectural problem is real; the form of the accommodation is the measure of how narrowly the system was willing to acknowledge it.

The architectural point

When the entire oath-architecture is laid out — coronation, privy council, parliament, judiciary, police, public service, citizenship, bar, military — and placed alongside the Pauline texts the previous section assembled, the structural fact becomes impossible to evade.

The institution built the operating chain of authority of every Christianised polity through a mechanism (binding sworn personal subjection at every layer) that the apostle whose authority it most invoked describes, in undisputed letters retained as ATT in the Hidden Father adjudication, as exactly the form of bondage from which the gospel sets the believer free. *μὴ γίνεσθε δοῦλοι ἀνθρώπων* — do not become bondservants of men — is, on any reading, the inverse of I do swear that I will be faithful and bear true allegiance to His Majesty King Charles the Third, His heirs and successors according to law. The architectural force of the contradiction does not depend on disputed gospel material; it does not depend on the Marcion reconstruction; it does not depend on the contested theological readings the book elsewhere flags. It depends only on the comparison between two things in plain view: what Paul says about binding personal subjection to human masters in 1 Corinthians, Galatians, Romans, and the rest, and the architecture of every Westminster-realm office of authority.

The two cannot be reconciled. The institution cannot simultaneously claim its authority from the apostle who said do not become bondservants of men, do not be entangled again with a yoke of bondage, owe no one anything except to love one another — and require, as the constitutive act of every office through which it operates, exactly the binding personal subjection to human masters Paul names as the architecture of bondage.

On this series' reading, this is the same architectural inversion at each layer the book examines. Romans 13:1-7 — identified as interpolated in Volume 2's analysis — inserts a Paul who underwrites the state-submission theology that the uninterpolated paidagogos argument dissolves. The household codes — also identified as later insertions — insert a Paul who underwrites the slave-and-master architecture that Galatians 3:28 explicitly dissolves. The Pastoral Epistles insert a Paul who underwrites the episcopal-hierarchy architecture that the uninterpolated Pauline letters do not contain. And the institutional oath-architecture builds the operating mechanism of authority on the very form of personal subjection — *δοῦλοι ἀνθρώπων*, the yoke of bondage, the elemental principles — that the authentic Pauline letters identify as the bondage the gospel dissolves.

The pattern is consistent. What the institution needed for its own self-legitimation, it asserted. What contradicted that need, it edited, or — where it could not be edited — operated as if it were not there.

The oath architecture is in some ways the cleanest case in the entire book, because it requires no textual reconstruction. The relevant Pauline material is right there, in undisputed letters, in every manuscript, in every translation, in the canonical text the institution itself preserves and on which it claims to stand. The institution did not need to alter the text to evade what the text says about binding personal subjection to human masters. It simply built the architecture the text dissolves, and continues to operate on it.

What the Pauline logic produces is not an absence of commitment but a rival prior one. “You were bought with a price” (1 Cor 7:23) is not just a prohibition; it is an ownership claim. Paul’s assertion is that the believer has already been purchased — that *pistis* (faithfulness, trust, fidelity) already runs to Christ — and that this prior claim is precisely what makes becoming a *doulos* of men architecturally impossible for someone who understands what they are already committed to. The oath-slot is not empty and available; it is already filled. Which means the institutional demand — “remember your oath [to the King]” — is met, within Paul’s own frame, by the answer: my fidelity is already spoken for. The institution’s call to sworn personal subjection collides not with a refusal but with a prior sworn personal subjection that Paul says cannot be surrendered without surrendering the gospel itself.

The military oath as the load-bearing extreme

What this chapter has set out so far is the architectural picture of oaths across every layer of the chain. The military oath sits at the bottom of the architecture as its load-bearing extreme — the case where the personal commitment extends not just to allegiance, fidelity, diligence, or even institutional service, but to the willingness to use lethal force on behalf of the sovereign claim. Because it is the limiting case, it deserves a closer look on its own.

What the oath actually says

The structure varies by jurisdiction in a way that is itself diagnostic.

Each of the following oaths is structured identically at the architectural level: sworn personal subjection to the sovereign and their successors. The jurisdiction differs; the form does not.

Australia (Defence Force Oath, Defence Act 1903, Schedule 1)

“I, [name], swear that I will well and truly serve His Majesty King Charles the Third, King of Australia, His heirs and successors according to law, in the [Navy/Army/Air Force] of the Commonwealth of Australia for the period of my enlistment, and that I will resist His Majesty’s enemies and faithfully discharge my duty according to law. So help me God.”

United Kingdom (Army Act, the Attestation, Armed Forces Act 2006)

“I... swear by Almighty God that I will be faithful and bear true allegiance to His Majesty King Charles the Third, His Heirs and Successors, and that I will, as in duty bound, honestly and faithfully defend His Majesty, His Heirs and Successors, in Person, Crown and Dignity against all enemies, and will observe and obey all orders of His Majesty, His Heirs and Successors, and of the generals and officers set over me.”

Canada (Oath of Allegiance, National Defence Act)

“I, [name], do swear that I will be faithful and bear true allegiance to His Majesty King Charles the Third, King of Canada, His Heirs and Successors, according to law. So help me God.”

New Zealand (Defence Force Oath, Defence Act 1990): structurally identical — sworn to the King in right of New Zealand, “his heirs and successors, according to law.”

United States (10 U.S.C. § 502, the current form derivative of the 1862 iron-clad oath):

“I, [name], do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.”

The Westminster oaths are sworn to the person of the monarch and “his heirs and successors according to law.” The American oath is sworn to the Constitution. This is not a cosmetic difference. After the Civil War, the United States deliberately changed the oath structure because oaths to a person had been used to justify conflicting loyalties — Lee resigning his US commission for Virginia is the canonical case. The American oath was redrawn in 1862 to be to a document rather than to a person, precisely so that the soldier’s commitment ran to the constitutional order and not to whoever currently occupied the office.

The Westminster oaths did not make that adjustment. They remain personal to the monarch.

How the oath ties into the chain

The phrase doing all the structural work in the Australian, UK, Canadian, and New Zealand oaths is “according to law.” That phrase ties the oath directly to the chain Volume 3 has been tracing.

The soldier is not swearing allegiance to King Charles III the man. The soldier is swearing allegiance to King Charles III as legally constituted sovereign. Which means:

- as constituted under the constitution of the relevant Commonwealth realm, which holds him sovereign in right of that realm; which traces to —
- the Crown’s territorial sovereignty in that realm, which was acquired by settlement, conquest, or cession under the law of nations as understood in the colonial period; which traces, at the moment of acquisition, to —
- the Doctrine of Discovery, formally articulated in the papal bulls of 1452, 1455, 1493, and adopted into common-law jurisprudence through *Johnson v. M’Intosh* (1823) and *Cooper v. Stuart* (1889) and the chain of cases that followed; which rested, in its issuing institution, on —
- the papal authority claimed under the Petrine commission (Matthew 16:18-19), which is absent from the parallel pericopes in Mark and Luke and contains second-century church-organisational vocabulary inconsistent with a pre-resurrection Galilean setting (Chapter 5); and on the institutional Pauline corpus, the load-bearing passages of which (Romans 13:1-7, the household codes, the Pastoral Epistles, 1 Thessalonians 2:14-16) the Hidden Father evidence shows to be later editorial intrusions rather than what Paul wrote (Chapter 7, Appendices C and D).

If the foundation is unsound at the bottom, the oath is sworn to the head of a chain whose root cannot be defended. The soldier has not personally constructed the chain — the same agent-versus-principal protection that immunises the judge in Chapter 20 immunises the soldier here — but the soldier is the load-bearing enforcement point of the claim. The chain runs through paper until the moment it does not, and at that moment it runs through people willing to act on what the paper says.

The American oath, sworn to the Constitution rather than to a person, sits in a structurally different position only at the surface. The US Constitution itself rests, for its claim to territorial sovereignty over what is now the continental United States, on the Marshall trilogy (*Johnson v. M’Intosh* 1823; *Cherokee Nation v. Georgia* 1831; *Worcester v. Georgia* 1832) — every one of which explicitly adopted the Doctrine of Discovery as the foundational legal

warrant for American sovereignty. The American soldier, swearing to “the Constitution of the United States against all enemies, foreign and domestic,” is swearing to a document that the United States Supreme Court — most recently in *City of Sherrill v. Oneida Indian Nation* (2005) — still treats as deriving its territorial sovereignty from the Doctrine of Discovery.

The chain is the same chain. The oath is sworn to its head. The foundation is the foundation Volume 3 has documented.

A note on naming: force, service, and what the institution claims

The words an institution uses to describe itself are an institutional argument about where its authority runs. The distinction between “force” and “service” is not cosmetic.

Force — from Latin *fortis*, strong, with the legal sense carried through force as coercive power — claims that authority runs from the institution outward to compel compliance. The institution holds the sovereign’s coercive power and applies it.

Service — from Latin *servitium* — claims that authority runs toward those served. The institution exists because it serves the community; its authority derives from that relationship.

The naming debate inside police institutions is the most documented instance. Across the United Kingdom through the 1990s and 2000s, numerous constabularies deliberately renamed from “Police Force” to “Police Service” — explicitly as an institutional statement that the obligation runs toward the community rather than downward from the sovereign. The Police Service of Northern Ireland, replacing the Royal Ulster Constabulary in 2001, was named as a deliberate political and structural signal about where the obligation was supposed to run.

The most instructive case is the reversal. In 2007, the NSW Police Service was renamed the NSW Police Force by the Iemma government — a deliberate political choice to move the naming back toward the compulsive-authority claim rather than the community-service claim. The stated justification was that “force” better reflected the institution’s actual authority under law. Both directions were argued explicitly and publicly, in institutional and political terms, as decisions about the direction of obligation.

In both cases, the oath-architecture was unaffected. Police attestations in every Australian state, before and after any naming change, require swearing or affirming to faithfully execute the functions of the office and obey lawful directions from above. Whether the institution calls itself a “service”

or a “force,” the sworn obligation runs upward through the chain, not outward toward the community.

The same pattern appears in the Affirmation Acts. The Quakers’ verbal refusal to swear-by-God’s-name was accommodated in form — the word “swear” replaced with “affirm.” The substantive architecture — binding personal subjection to the sovereign’s claim — was unaffected. The “police service” renaming accommodated the optics of community obligation. The sworn architecture remained.

The name was changed. The oath was not.

The Nuremberg qualification — the oath is not unconditional

Before this section is read, the limit must be stated clearly. What follows does not claim that the Nuremberg principle automatically extends to the Doctrine of Discovery context, and it does not charge any individual with a Nuremberg offence. Nuremberg addressed specific acts — ordering, facilitating, or carrying out crimes against humanity — by individuals with direct causal connection to specific atrocities. Continuing to hold an office oath after reading a documented argument is not an act in that category and is not being treated as one. What the section does is read the Nuremberg framework as the institution’s own concession that office is not a complete defence — that the oath has, by the institution’s own doctrine, an honourable-disobedience clause built into it — and ask the structural question that follows: what becomes of an office-oath whose foundation has itself been put in question? That is a question about the architecture of the oath, not a Nuremberg charge against any individual office-holder. The section’s subsequent paragraphs should be read under that limit.

Every modern Western military code carries a built-in qualification: the soldier is required to refuse manifestly unlawful orders, and “I was only following orders” is not a defence to participation in war crimes or grave breaches of international humanitarian law. The institution itself acknowledges that there are orders the soldier must refuse.

The principal authorities

- The London Charter (1945) and the Nuremberg Principles (1950) — particularly Principle IV: the fact that a person acted pursuant to order of a superior does not relieve them from responsibility under international law, provided a moral choice was in fact possible.
- The High Command Case (1948) and The Justice Case (1947) at Nuremberg.

- My Lai / United States v. Calley (1971) — the US Court of Military Appeals upheld Lieutenant Calley's conviction; "following orders" rejected as a defence to participation in a manifestly unlawful killing.
- Australian Defence Force Discipline Act 1982, s 14: a defence person is not relieved from criminal responsibility for an act done in obedience to an unlawful order.
- UK Manual of the Law of Armed Conflict (2004), §16.47: orders that are manifestly unlawful must not be obeyed.
- Rome Statute of the International Criminal Court (1998), Article 33: the superior-orders defence is unavailable where the order is manifestly unlawful.

The oath has, in other words, an honourable-disobedience clause built into it. The institution acknowledges this. The clause exists because the institution itself recognises that there are commands which, if obeyed, would make the soldier personally culpable regardless of the chain of command above them.

The architectural question Volume 3 is implicitly asking is: what about orders that issue from a chain of authority whose foundation has been shown to be unsound? The Nuremberg framework was built for individual unlawful orders within a generally lawful system. It does not have a developed vocabulary for the case where the system itself is foundationally unlawful but operates through individually lawful-looking commands. This is the gap the book sits in. Call it the foundational-warrant gap: the space between "this specific order is manifestly unlawful" and "the authority from which all orders in this system derive is itself unsound."

The book does not try to close that gap by asserting that the Nuremberg principle automatically extends to the Doctrine of Discovery context. The cases cited above all involve grave individual breaches — killings, torture, deportations — that are wrong in the strongest moral and legal senses regardless of what underlies the system commanding them. The structural-foundational case is a different kind of wrong: a wrong about the legitimacy of the warrant, not about the immediate moral character of the act commanded. A soldier directing traffic, providing humanitarian assistance, or guarding a border under a system whose foundation is unsound is not, individually, doing what Calley did at My Lai.

Three existing frameworks each approach the foundational-warrant gap and each falls short. Nuremberg addresses the manifestly unlawful individual command; the wrong is in the act, not the warrant. Civil disobedience (Thoreau, King, Rawls) addresses the specific unjust law within a system whose general legitimacy is accepted; it assumes a legitimate framework and targets a local failure within it. Constitutional / revolutionary theory addresses the right to alter or abolish a government whose foundation is un-

sound — Jefferson’s language in the Declaration of Independence — but requires collective political reconstruction, not individual conscience, and the destination it points toward (a new constitutional settlement) has not yet been built. None of these is the right vocabulary for what this book documents.

The reason none of them fits is structural. Every legal vocabulary available to the soldier is constituted by the chain being questioned. Hans Kelsen’s *Pure Theory of Law* — whose concept of the *Grundnorm* (basic norm) is already part of this book’s framework — treats the foundational norm of any legal system as simply assumed valid; it is not justified from outside itself, because to demand external justification would require an infinite regress. Kelsen deliberately excluded questions of justice from legal theory; the *Grundnorm* is taken as given. H. L. A. Hart’s “rule of recognition” — the social fact that officials act as if certain rules are valid — is similarly a social fact, not a moral claim. Legal positivism is, structurally, designed to be unable to examine the moral legitimacy of its own foundation. The Mabo court put the same point without the philosophical apparatus: to examine the foundational sovereignty question “would fracture the skeleton of principle which gives the body of our law its shape and consistency.” The system’s vocabulary cannot examine the system’s foundation, because it is constituted by that foundation.

On the analysis this book develops, this is why the foundational-warrant gap cannot be filled from within the legal system: any legal argument eventually runs back into the system designed to prevent the foundational question from being heard. The gap names a structural feature. The book’s task is to name it clearly and be honest that no current legal framework fills it. What that requires is not more legal argument but a different kind of authority — one that does not derive from the chain at all.

The post-Mabo question

After Mabo (No 2) (1992) admitted, in the official record of Australia’s highest court, that the foundational sovereignty question cannot be examined — because to do so “would fracture the skeleton of principle which gives the body of our law its shape and consistency” — there is a sharp question about what exactly an Australian soldier is now swearing allegiance to.

If the Crown’s territorial sovereignty rests on a doctrine the Crown’s own highest court has admitted cannot be defended on examination, then “His Majesty the King of Australia” is, on the system’s own admission, a position whose claim to the territory the Court cannot adjudicate. The “according to law” clause that anchors the oath is anchored to a chain the system has ac-

knowledge it cannot examine to the bottom. The soldier is therefore in the structural position of swearing allegiance to a sovereign claim held in place by procedural protection rather than by examined warrant.

This does not make the oath fraudulent on the soldier's part. The same protections that apply to the judge in Chapter 20 — judicial immunity's analogue (combatant immunity), the mens rea requirement (the soldier must know), good-faith reliance, the agent-principal distinction, the bound-by-orders doctrine — all apply here, and several of them apply with greater force because the soldier is far further from the foundational-document machinery than the judge.

But it does mean that the soldier is structurally in the same position as the judge: participating in the operation of a system whose foundation has been shown not to bear examination. The participation is not personally fraudulent. It is also not nothing. It is what holds the system in place after the system itself has admitted it cannot defend its own foundation.

What history shows about the load-bearing point

The historical pattern is consistent across continents and centuries: contested foundations do not actually fall when the courts admit they are unsound. The courts almost never admit it; *Mabo's* “not justiciable” passage is exceptional precisely because it gets so close. Foundations fall when the enforcement architecture — almost always the military, sometimes the police — declines to continue enforcing the claim.

Selected cases

- The Royal Indian Navy mutiny (February 1946) — over twenty thousand sailors of the Royal Indian Navy refused orders, raised the flags of the Indian National Congress and the Muslim League over their ships in Bombay, Karachi, and Calcutta, and held out for several days. The British government concluded that it could no longer rely on its enforcement architecture in India to underwrite the imperial claim. The decision to leave India followed within eighteen months. Attlee in 1956 acknowledged that the mutiny had been the decisive factor.
- The South African Defence Force, late 1980s — the End Conscription Campaign and growing internal reluctance to deploy conscripts on township operations contributed materially to the National Party's calculation that the security architecture could not indefinitely sustain apartheid enforcement. The De Klerk transition followed.

- East Germany, November 1989 — the security forces' refusal to fire on Berlin Wall crowds, after the Politburo issued no clear order, was the proximate trigger of the regime's collapse. The wall fell because the soldiers stationed at it would not enforce it.
- Romania, 22 December 1989 — the Romanian Army's defection to the demonstrators in Bucharest's Palace Square ended Ceaușescu's regime within hours. He had ruled for twenty-four years; his fall took an afternoon, once the army no longer enforced.
- Tunisia, January 2011 — General Rachid Ammar's reported refusal to order troops to fire on protesters in Tunis was the proximate cause of Ben Ali's flight. The Tunisian transition initiated the Arab Spring.
- The Brereton Report, Australia (2020) — the four-year inquiry by Major General Paul Brereton into the conduct of the Australian Special Air Service Regiment in Afghanistan found credible evidence of 39 unlawful killings of non-combatants by ADF personnel and recommended criminal investigation of 19 individuals. The report explicitly addressed how individual soldiers could be liable when operating in a chain of command that had normalised the conduct. The legal conclusion was unambiguous: individual liability for war crimes stands; chain-of-command protection is institutional, not personal. The report was the ADF's own institutional acknowledgment — published by the Inspector-General of the Australian Defence Force — that the Nuremberg framework applies to its own personnel, in its own contemporary operations, regardless of what their orders permitted.

The pattern across these cases is the same. The system's claim to authority is held in place by the willingness of a small number of people — uniformed, oath-bound, armed — to underwrite it with force. When that willingness withdraws, even partially, the claim collapses with surprising speed. The collapse is rarely the result of the claim being legally examined; it is almost always the result of the enforcement architecture declining to continue carrying the claim.

This is not a prediction about any specific contemporary regime. It is an observation about where contested foundations actually shift, historically. The shift point is not the courtroom. It is the parade ground.

The architectural question (within the military case)

The military oath is one of the most concentrated single points in the institutional architecture at which the *nomos-grammar* Volume 3 has been examining demands a specific kind of personal commitment. It asks the indi-

vidual to put their body, and at the limit their willingness to take life, behind the system's claim to authority.

The oath structure concentrates the nomos-grammar this book has been examining: sworn commitment to a sovereign person or document, "according to law," with built-in unlawful-orders qualification but no developed vocabulary for foundational illegitimacy. It frames the soldier's responsibility as running upward, to the chain of command, with narrowly specified exceptions. The oath does not currently make any alternative foundation visible. Rewriting it would be an act of constitutional consequence, far beyond the scope of any single institution to undertake. But naming what the current oath actually asks, and what the foundation it ties to has been shown to be, is within the scope of any honest examination of the system. This chapter has tried to do that.

This chapter does not say

- that any individual oath-taker — monarch, minister, MP, judge, constable, public servant, citizen, barrister, or soldier — is personally guilty of fraud, perjury, or any other wrong by virtue of having taken or holding an office-oath (they are not; the protections of agent-status, mens rea, good-faith reliance, and bound-by-precedent or bound-by-orders doctrine all apply to every layer of the architecture);
- that any of those persons should now refuse their oath, resign their office, breach their lawful duties, or in any way withdraw from the institutions they serve (the book does not advocate any such thing; the historical examples cited are observations about how systems have changed in the past, not prescriptions about how anyone should act in the present);
- that the foundational illegitimacy of the chain reaches downward to make every individual order or act issued through it manifestly unlawful in the Nuremberg sense (it does not; the Nuremberg framework is about individually unlawful acts and is not automatically extensible to the structural-foundational case);
- that the legal accommodation by which Quakers and others may affirm rather than swear fully resolves the underlying architectural objection (it does not; the verbal form of swearing-by-God is accommodated, the substance — binding personal subjection to a sovereign claim, which is what the Pauline material identifies as the bondage the gospel dissolves — is unaffected);
- that contemporary Western militaries, judiciaries, or civil services are morally equivalent to the historical regimes whose enforcement and administrative architectures are now retrospectively judged complicit (the situation is structurally different and the comparison is offered for the

load-bearing-point observation only, not for moral equivalence at the level of conduct).

What it does say

- the operating chain of authority of every Westminster-realm polity (and, in close parallel, the United States) is held in place at every layer by sworn personal commitment — monarch, councillor, parliamentarian, judge, constable, public servant, citizen, barrister, soldier;
- this architecture stands in direct contradiction to retained, undisputed Pauline material — preserved as ATT (recoverable Paul) in the Hidden Father verse-level adjudication and present in every manuscript witness — in which the apostle whose authority the institution most invokes identifies binding personal subjection to human masters as the bondage from which the gospel sets the believer free (1 Cor 7:23; Gal 5:1; Gal 4:8-11; 1 Cor 3:21-23; Rom 14:4; Gal 1:10; 2 Cor 3:17; Rom 13:8; Gal 5:14; and the yes-yes / no-no model in 2 Cor 1:17-20);
- Christians who have actually attended to the canonical text have, for at least five centuries — even on the narrower Sermon-on-the-Mount grounds rather than the broader Pauline architectural ones — refused to participate in the oath architecture and have been criminalised, imprisoned, and ultimately accommodated in form (the Affirmation Acts) without the substantive contradiction being addressed;
- the institution itself, through Nuremberg (the limits of the soldier's oath) and the Brereton Report 2020 (institutional acknowledgment of individual liability), concedes that office-oaths are not unconditional;
- the historical pattern of how contested foundations actually shift is consistent: the shift happens at the layer of personal commitment — most visibly the enforcement-architecture point, but also at every other layer where the sworn person re-examines what they swore to and on what foundation;
- and an honest account of the system's foundation has to make all of this visible, because otherwise the rest of the chain is paper.

The chapter does not tell anyone what to do with what it has named. That is for individuals, for institutions, and for societies, to work out — over time, under conditions of full information about what the foundation has been shown to be, and within whatever frameworks of conscience, obligation, and tradition those individuals and institutions hold.

One further thing.

This chapter does not assess any reader's legal position, and nothing in it constitutes legal advice. Readers with specific concerns about their profes-

sional or legal obligations should take independent advice from a qualified lawyer in their jurisdiction.

A distinction the chapter has not yet made explicit matters here.

The charge this book makes is structural and historical: it concerns the institutional architecture, the office, the chain, and the warrant the manufactured texts authorised. It is not an accusation against any individual officeholder. The person is not the architecture; the architecture runs through them.

But the person and the office are present simultaneously in every institutional act. When a judge signs a warrant, the authority is the Crown's — the seal, the jurisdiction, the coercive force all trace through the chain. The living person is not personally the Crown. And yet the person is present in every choice the office makes: to proceed, to decline, to examine the foundation or not to. The office cannot be held accountable in the way a person can. The office is a legal construct. The person is not.

Which raises a question the architecture has arranged carefully not to answer.

If a person comes to understand the contested foundation of the office they serve, what does conscience require of them? This book does not answer that question for any reader, and it does not identify any legal mechanism that follows from reading it. It names the structural problem: the courts whose authority traces through the same chain are the courts asked to decide whether the chain can be examined.

The Mabo court recorded the difficulty in the official judgment: the foundational question cannot be examined without fracturing the structure. Mechanisms exist outside the domestic chain — international law, crimes against humanity frameworks — but those carry their own constraints. On this analysis, the domestic mechanism is closed — not incidentally, but structurally. The Mabo court's own words are the record of that closure.

The question is therefore not answered here as a legal question. It is left where the book can responsibly leave it: as a question of conscience, history, and public truth.

Is there a difference between not knowing and choosing not to look?

They may dispute the argument — that is legitimate and explicitly invited by Appendix F. But what they do with the question is now theirs.

"I didn't create it" and "I have no responsibility for it" are different claims. The second does not follow from the first.

A note on the one mechanism the system did not fully close

Before turning to the answer that lies entirely outside the chain, it is worth naming the one mechanism inside the chain that operates outside it.

The following section describes the historical and constitutional architecture of jury power. It is a structural observation about the legal system this chapter has been mapping — not advocacy for any conduct in any legal proceeding, not addressed to any specific case, and not legal advice.

Jury nullification — the jury’s power to acquit against the evidence, against the law, against the judge’s direction, with no obligation to give reasons and no appeal available — is the one irreducible crack in the institutional architecture this chapter has been describing. The judge cannot hear the foundational challenge because *nemo judex*: the judge’s authority derives from the same chain. The appellate court cannot hear it for the same reason. The legislature cannot address it because its warrant runs through the same foundation. Every institutional actor with the formal power to examine the chain is inside the loop the examination would have to break.

On the juror, specifically, a more precise observation is required than the chapter has so far been able to offer. The juror is not, in the position the inquiry is concerned with, an ordinary citizen. For the duration of the trial — sometimes hours, sometimes weeks — the juror is an oath holder in the same structural sense that the bench is. The oath or affirmation taken on empanelment (“I will well and truly try the issues joined between the parties and a true verdict give according to the evidence,” wording varying by jurisdiction; the affirmation form is available in every Australian state, in the UK, and in the United States and Canada) is brief in tenure but full in form. The judicial power exercised on the verdict is not advisory: it determines liberty, property, and in some jurisdictions life. Blackstone’s framing of the jury as the “grand bulwark” of liberty was not rhetorical decoration. The jury was constructed, deliberately, as the lay component of judicial power within the constitutional architecture.

The juror’s position has a peculiar shape that is worth being precise about, because most public discussion of it is muddled. The juror is told by the judge that they must apply the law as the judge states it; that direction is binding in form. The juror has the unreviewable power to acquit against direction; in criminal cases the acquittal cannot be appealed, and *Bushel’s Case* (1670) settled the principle that jurors cannot themselves be punished for their verdicts — the case arose from jurors being imprisoned by the trial judge for refusing to convict William Penn for unlawful assembly, and the Court of Common Pleas freed them on the principle that has held across the common-law world ever since. The juror is denied any right to nullify — de-

fence counsel may not argue for it, judges may not instruct on it, and in some jurisdictions encouraging a juror to nullify in a particular case can itself be characterised as contempt or as attempt to pervert the course of justice. The juror's deliberations are protected by statute (in New South Wales, s 68A of the Jury Act 1977 and equivalents elsewhere). The architecture, taken together: the power exists, the right is denied, the practice is invisible. This is not a hidden contradiction in the law — it is a designed one. The system needs the safety valve and cannot afford to admit it has one.

The power has been exercised across centuries on causes most readers would now recognise as morally clear. *Bushel's Case* itself involved jurors refusing to convict on a religious-assembly prosecution that the political authority of the day required to succeed. Northern American juries refused to convict under the Fugitive Slave Act of 1850 in cases where the law required the return of escaped persons to slavery. English juries in the John Peter Zenger / press-freedom tradition acquitted publishers under criminal libel laws constructed to suppress political criticism. Vietnam-era and more recent acquittals of environmental and anti-war protesters against the weight of evidence repeat the same pattern. In each case the jurors took the oath to apply the law, listened to the direction of the bench, and concluded the law as applied to that defendant should not produce conviction. They exercised the power without claiming the right. The system, on each occasion, accepted the verdict because it had no procedural mechanism to do otherwise. The jury sits outside that chain. Twelve people pulled from the street, holding a power that cannot be appealed, cannot be overruled, and does not have to be justified. They are the Crown's subjects, asked to exercise a judgment the Crown cannot control. The power has never been formally abolished, despite centuries of judicial attempts to contain it, because abolishing it would require admitting that the whole thing runs on compliance rather than legitimacy.

For ordinary criminal cases, the international legal architecture canvassed elsewhere in this chapter — Nuremberg, the Rome Statute — does not engage on the juror's act. A juror returning a guilty verdict on properly admitted evidence in an ordinary prosecution is not within reach of Article 25 of the Rome Statute (the *mens rea* required — purpose to facilitate, or intentional contribution to a group acting with criminal common purpose — is not met by ordinary jury service, and ordinary criminal law is not the kind of activity Article 25 is concerned with). The cleaner ground for the juror is structural rather than statutory. The Nuremberg principle's underlying logic — that being directed to participate does not extinguish the moral and legal weight of one's act — has its most natural application to soldiers and officials, but the structure of it reaches the juror too. The juror is being directed to apply the law. The direction does not extinguish the moral weight of the

verdict the juror returns. Where the chapter is concerned with the foundational-warrant gap, the juror is the one ordinary person inside the architecture for whom that gap can be a personal question rather than a theoretical one — because the juror, briefly, holds the judicial power that the rest of the chapter has been describing as held only by people whose authority runs through the chain. The juror's authority, on the deliberation, runs only through the oath the juror just took. That is why the deliberation is secret and why the verdict cannot be appealed.

This is a structural observation, not a prescription. The discussion stays on the historical and constitutional architecture of the jury power; it stops well short of advocacy of any particular conduct in any legal proceeding.

The connection to this book's argument is structural rather than prescriptive. The common law accidentally built into itself a mechanism for exactly the situation this volume has described — the situation in which the law is formally valid but the foundation it rests on does not bear the weight. Historically, juries have sometimes used that unreviewable space to refuse a conviction the formal law would otherwise have permitted. The point here is constitutional architecture, not instruction.

That history does not fix the foundation. It shows only that the system has never made its own enforcement perfectly automatic; at one point in the architecture, lay judgment remains present.

This book does not advocate that anyone do anything in particular with that observation. It is named here as a structural fact of the legal architecture the rest of the chapter has been examining, not as advice about any case or proceeding.

The answer from outside the chain

There is, however, one answer to the foundational-warrant gap that does not require waiting for a new constitutional settlement, does not require winning a legal argument, and does not require a collective political reconstruction. It is the answer the By What Authority series has, across five volumes, been clearing the ground to hear clearly.

The Pauline material this book has been working with — the material that survives when the editorial interpolations are set aside and only the ATT passages are used — does not offer a new political theory. What it offers is prior commitment.

Paul's language is precise: you were bought with a price; do not become bondservants of men (1 Cor 7:23). The purchase is stated as already having occurred. It is not a future condition; it is a present fact. The pistis — the oath-like prior commitment that Paul consistently uses to describe the

believer's relationship to the Father through Christ — is not initiated by the believer swearing an oath to a sovereign. It is a commitment that, on the Pauline account, already exists before any institutional oath is administered. The oath-slot, on Paul's architecture, was filled before the institution asked for it.

This is not a small doctrinal claim dressed up in legal vocabulary. It is the architectural inversion of the entire *nomos*-grammar the institution has deployed in the name of Paul's letters. The institution's architecture runs from the individual upward to the sovereign — commitment flows toward the crown, the state, the chain of command. Paul's architecture runs from the Father outward through Christ to the individual — commitment is constituted from the other direction entirely. The individual who has received that commitment is not thereby freed from civic responsibility, bodily risk, or engagement with the world. What they are freed from is the claim that their foundational allegiance belongs to the institutional chain. For freedom Christ has set us free; stand firm therefore, and do not submit again to a yoke of bondage (Gal 5:1 ATT).

The foundational-warrant gap is, on this account, not primarily a legal problem awaiting a legal solution. It is a conscience question. And the conscience question already has an answer in the material the institution has spent seventeen centuries selectively editing.

This is why the Hidden Father is hidden. It is not that the texts are obscure, or the Greek is difficult, or the manuscript tradition is impenetrably complex. The figure is hidden because an institutional architecture built on hierarchical sovereign oaths cannot survive the wide and clear dissemination of a theology that names those oaths as the bondage from which the gospel sets the believer free. The textual finding is that the editorial programme Chapter 7 documents clusters at precisely the points where the theological argument most directly dissolves the institutional claim. The interpretation is that this clustering was purposeful. The Father who reaches the particular individual without waiting for petition through a chain of priestly intermediaries, who requires no oath-sealed submission before restoring relationship — that figure is structurally incompatible with the architecture the institution built. The finding is the pattern. The reading is what it means.

The soldier, the judge, the public servant, the barrister, the citizen asking what they have actually sworn to — and whether the foundation of that oath can bear examination — is asking a question the existing legal vocabulary is structurally designed not to answer. The Nuremberg framework does not answer it. Civil disobedience theory does not answer it. Constitutional theory does not answer it until the reconstruction is complete. The *Grundnorm* is taken as given; the system cannot look at its own floor.

But there is an answer. It is not a new answer. It is the answer Paul's letters have been carrying since before the institution existed to edit them. It is that the prior commitment is to the Father and to Christ, and that prior commitment is not dependent on the chain for its validity, not derived from the chain's authority, not revocable by the chain, and not required to justify itself to any court or council convened under the chain's warrant. It is the most politically explosive idea in the Western tradition, which is precisely why two millennia of institutional management have been required to keep it from being heard in its full architectural force.

What that answer means practically — how it translates into institutional reform, political reconstruction, treaty negotiation, legal challenge, professional decision, or personal conduct — is not a theological question. It is a political and historical one, and it is not this book's work to answer it. This book's work is to establish that the theological ground has been deliberately obscured, that the obscuration is documentable verse by verse, and that when the obscuration is removed the theological answer to the foundational-warrant gap is already there. In the account this volume has offered, the hidden Father is still reaching, and was always outside the chain.

A note on the doctrinal scaffolding. The architecture of oaths described in this chapter does not float free. It is supported, doctrinally, by the parliamentary-sovereignty framework set out by A. V. Dicey in 1885 and elaborated in the standard administrative-law texts (H. W. R. Wade and C. F. Forsyth in the United Kingdom and the Commonwealth, with equivalent treatments in the constitutional-law literatures of the United States and Canada). Those texts make explicit what the oath architecture relies on without saying: that the highest legal authority is, by the doctrine's own definition, beyond legal review, and that the legal profession is trained to treat that as the floor rather than as a question. The scaffolding is not hidden. It is the textbook content. Appendix A returns to those textbooks and reads them as hostile witnesses to what they describe.

By what authority does the system hold its claim in place?

At every layer, by the personal commitment of those who have sworn to maintain it. The book has now traced the chain to that point. And it has named what the chain was designed to obscure: that the apostle the institution most invokes says the oath-slot was already filled. Not by the institution. Not by the chain. By the one the institution spent seventeen centuries of selective editing trying to keep hidden.

The question "by what authority?" turns out to have two answers. One is the answer the institution gives: the chain, the precedent, the warrant. The other is the answer Paul's undisputed letters have always been carrying: a prior commitment, constituted from outside the chain, which the chain can-

not examine, cannot revoke, and has never been able to make go away — no matter how many syllables it edited from the text.

Chapter 22: The Inherited Vocabulary

The chain this volume has traced runs through institutions and documents. It also runs through words. The operating vocabulary of Western law is not neutral technical language. When a lawyer argues jurisdiction, when a jury delivers its verdict, when a government minister acts under authority — every italicised word in that sentence carries the same ancestry. That ancestry is not incidental to the argument this volume has been making. It is its continuation at the level of language.

The institution that edited Paul did not merely produce the foundational documents. It produced the words in which the system describes itself, its authority, and its relationship to the people over whom it claims jurisdiction. The vocabulary was transmitted through canon law, embedded in secular legal procedure, and is still operative in every courtroom that derives its authority from the chain traced in Part One.

Chapter 21 examined the architecture of oaths — the mechanism by which the documentary chain is converted into personal sworn commitment. This chapter examines the vocabulary those oaths deploy: what the words mean, where they came from, and what they carry silently into every exercise of legal authority.

Table 6: The Inherited Vocabulary — Western Legal Terms and Their Canonical Sources

Term	Etymology and source	Institutional pathway
Testament	Latin <i>testamentum</i> , translating Greek <i>diathēkē</i> (covenant, binding agreement). The same root gives both the legal instrument and the biblical division.	The legal will and the biblical covenant are etymologically identical. Roman law had <i>testamentum</i> for property dispositions; the church’s use of <i>diathēkē</i> as the structural term for God’s binding agreement with humanity imported the covenantal architecture directly into legal inheritance practice.

Testimony Witness	Latin <i>testimonium</i> , from <i>testis</i> (witness). The structure of legal testimony — requiring multiple independent witnesses — traces directly to Deuteronomy 19:15: “on the testimony of two or three witnesses a matter shall be confirmed.” The corroboration rule in evidence law is the Torah’s rule.	Through Augustine, Aquinas, and the canonist tradition, the biblical witness standard became the operative model in ecclesiastical courts and then passed to secular procedure. The common law corroboration requirement retains the Deuteronomic structure whether or not its practitioners know it.
Jury Perjury	Latin <i>jurare</i> : to swear an oath, specifically an oath calling God as witness. <i>Jurors</i> are those who have sworn. <i>Perjury</i> is the breach of a sacred oath — a crime whose gravity is explicitly religious: you have lied to God, not merely to the court.	The jury as an institution formalised in the 12th–13th century alongside the development of canon law procedure. The oath that constitutes the juror’s office — “so help me God” — retains the original theological structure: the juror’s reliability rests on divine sanction, not merely civil penalty.
Jurisdiction	Latin <i>jurisdictio</i> : the speaking of law (<i>jus dicere</i>). The concept of exclusive territorial jurisdiction over persons and things — the claim that a particular authority has the right to declare law in a particular space — was developed systematically through papal claims to universal jurisdiction before it became a secular legal concept.	The papal claim to universal jurisdiction over all peoples (the source of the Discovery bulls) is the structural ancestor of the sovereignty concept that all modern states inherit. Jurisdiction, as a concept, was first articulated at global scale by the institution that issued <i>Inter Caetera</i> (1493).
Canon	Greek <i>kanōn</i> : a measuring rod, a rule, a standard. The word for what is authoritative — canonical — entered Western usage entirely through church application: the canon of scripture, canon law, canonical procedure. The secular legal system then inherited a vocabulary in which “authoritative” and “church-validated” were, historically, synonyms.	Canon law (<i>ius canonicum</i>), systematised in Gratian’s <i>Decretum</i> (c. 1140), provided the operating template for all subsequent Western legal codification: the citation of authorities, the hierarchy of precedent, the role of the trained interpreter, the adversarial structure of contested claims. The secular legal system is, structurally, canon law with the explicit theological references removed.
Person (legal)	Latin <i>persona</i> : a mask, a role, a legal fiction allowing an entity to hold rights. The concept of corporate personhood — that an institution can own property, sue, and be sued — was developed in canon law to handle church property after the Investiture Controversy (11th century). Without	The church needed to hold property in perpetuity without being tied to the mortality of individual bishops. Canon lawyers developed the legal fiction of the corporate person for this purpose. Secular law inherited the concept wholesale. Every corporation, trust, and statutory authority that exercises legal rights today does

	it, modern corporate law does not exist.	so through a concept the church invented to manage its own estates.
Covenant Contract	Latin <i>contractus</i> , but the operative architecture is covenantal rather than purely Roman. Roman law supplied the formal categories (offer, acceptance, consideration); the covenantal tradition supplied the theological weight of the binding promise — the idea that breach is not merely a commercial loss but a violation of a pledged word before God.	The oath that makes a contract binding — still present in sworn affidavits, solemn declarations, and the “under seal” formality — is the covenantal element, not the Roman one. It distinguishes a contract from a commercial calculation: you are not merely agreeing to terms, you are committing your word before God or the law as a surrogate for God.
Authority	Latin <i>auctoritas</i> , from <i>auctor</i> (originator, one who gives increase). The theological architecture of delegated authority — that it flows downward from God through a hierarchy of ordained offices — is the explicit structure of Romans 13:1: “there is no authority except from God, and those that exist have been instituted by God.” The interpolated passage does not merely describe existing authority; it defines what the word means structurally in the Western legal tradition.	Every sentence in which a legal officer claims authority by virtue of their office — every warrant, every judgment, every act of state — uses a concept whose theological grounding is that passage. The Hidden Father adjudication rates Romans 13:1–7 at 98% CONFIRMED interpolation. The word the system uses for its own claim to obedience traces, at its structural root, to a passage this document argues was not written by Paul.
Minister	Latin <i>minister</i> (one who serves, an attendant). <i>Minister</i> was a common Latin word, but the church gave it its specific institutional meaning: the appointed servant of an office, accountable upward through a hierarchy, whose authority derives from the institution rather than from personal standing.	The operative point is the specific institutional model: the minister as a person whose authority is entirely derived, entirely delegated, and entirely revocable by the institution above. That model is what passed into the political vocabulary of the medieval and post-Reformation state. A government minister exercises authority that is not their own, in exactly the structure the church developed for its own officials.
Secular	Latin <i>saeculum</i> (age, world, the temporal order as distinct from the eternal). This entry makes a conceptual rather than purely etymological claim: the distinction between “secular” law and religious authority was not discovered neutrally — it was drawn by the institution that held au-	The argument (developed by legal theorist John Milbank and others) is that the secular state did not free itself from religious authority by becoming secular. It accepted the church’s categorisation of itself as the domain the church was temporarily not administering. The boundary was the church’s to draw. The word the

thority over both domains and decided where each began and ended.

legal system uses to describe its independence from religion is the church's word for the temporal order it had not yet fully claimed.

The Gratian Connection

The single most consequential transmission point for this inheritance is Gratian's *Decretum* (c. 1140 CE). Gratian was a Bolognese monk whose *Concordia Discordantium Canonum* — the “Concordance of Discordant Canons” — was the first systematic codification of church law. Within a generation it had become the foundational text of canon law across Western Christendom.

Its significance is structural. The *Decretum* did not merely organise existing rules. It invented the *form* of Western legal codification: the citation of prior authorities, the hierarchy of sources, the adversarial method of presenting competing authorities and resolving conflicts through trained interpretation, the distinction between binding and persuasive precedent, the role of the professional jurist as the authoritative reader of the text. Every feature of modern common law and civil law practice that distinguishes it from mere command — the claim that legal decisions follow from rules rather than being imposed by power — derives structurally from the methodology Gratian developed for the church's own institutional governance.

The *Decretum* was also the text in which the Donation of Constantine was embedded as operative canon law. Chapter 6 traced what the Donation was and how Valla exposed it as a forgery in 1440. The relevant point here is institutional: the same document that embedded a fabricated authorising instrument in its own foundational legal code also served as the operating template for all subsequent Western legal systems. The *form* of the law — the citation of authorities, the hierarchy of precedent, the trained interpreter — survived its most prominent founding fraud. The secular legal systems built on its template inherited both the methodology and the precedent of how the methodology handles inconvenient evidence.

The Latin maxims applied to the system in Chapter 10 — *fraus omnia corrumpit*, *nemo iudex in causa sua*, *nemo dat quod non habet* — are themselves canon law vocabulary. They entered Western legal usage through the same Gratian tradition that transmitted the rest of the inherited vocabulary. The book is using the church's own legal language to interrogate the foundation the church built. The principles, once articulated, apply regardless of who articulated them.

The Natural Law Bridge

The vocabulary transmission ran not only through legal procedure but through legal philosophy. The natural law tradition — the argument that there is a higher law binding on all human beings, which sovereigns are authorised to discover and enforce — provided the bridge between theological authority and secular sovereignty.

The chain is specific. Thomas Aquinas (13th century) grounded natural law in divine reason, mediated through scripture as interpreted by the church. Francisco de Vitoria (16th century), working from Aquinas at Salamanca, provided the first systematic justification for Spanish sovereignty in the Americas: the indigenous peoples were subject to natural law; Spain had the authority to enforce it; papal delegation made the enforcement claim binding. Grotius and Vattel built the framework of international law from the same foundation. The natural law that all modern states claim to be bound by — the framework that produces human rights law, the laws of war, and the present international order — was articulated in its operative form by scholars working from a theological tradition reading the edited Paul as scripture.

The specific Pauline text is Romans 13:1–7: submission to governing authorities as divinely ordained, the ruler as “God’s servant” for the good. Aquinas cited it. Vitoria built from Aquinas. International law built from Vitoria. The natural law framework governing the present international order traces, at its theological root, to a passage rated at 98% CONFIRMED interpolation in the Hidden Father adjudication.

What the Vocabulary Tells You

The vocabulary analysis above is not a refutation of Western law. Juries, testimony, and jurisdiction describe real institutions doing real work, and the work is not uniformly bad. The analysis makes visible the degree to which the Western legal system speaks its own ancestry without knowing it.

A lawyer who invokes jurisdiction does not know she is operating within a concept the papacy developed to claim authority over every unbaptised person on earth. A corporation that holds property does not know it exists as a legal person because medieval canonists needed a way to hold church estates in perpetuity. A government minister does not know that the word describing their office is the church’s word for a servant whose authority is entirely derived and entirely revocable by the institution above.

The vocabulary transmits the institutional structure silently, in the words themselves, long after the explicit theological claims have been abandoned. The chain does not run only through documents. It runs through the language in which authority describes itself.

Chapter 23: What an Honest Reckoning Looks Like

Honest reckoning does not mean dissolution. It means acknowledgment and negotiation.

The structures built on the fraudulent foundation have created real interdependencies. People live in houses with titles. Services are provided through institutions. Economies function through property systems. None of this evaporates overnight, nor should it. The argument from “the foundation is fraudulent” to “everyone pack up and leave” is not a logical inference.

The honest inference is: if the foundation was acquired without consent, then consent must now be sought in some form. Treaty is the mechanism for this. Not as charity — the colonising society bestowing recognition on the colonised. As acknowledgment of existing, unextinguished sovereignty.

As Chapters 18 and 19 together make clear, this is not only a political-moral argument. It is a theological one for any society whose legal foundations trace, even at a distance, through Christian institutional authority. The hidden Father whom Paul actually reveals was hidden specifically from the institution that claimed him; he never authorised the destruction of the peoples whose pre-legal direct relationship to country looked far more like his own pattern than anything the institution ever managed to be. Treaty is the form an honest society takes when it acknowledges that the chain was always broken at the bottom and what was destroyed was already standing on the deeper ground. The same logic applies to other reckoning settlements — the Waitangi tribunal in Aotearoa, comprehensive land claims in Canada, Sámi parliament arrangements in the Nordic states — each of which is, in its own jurisdiction, an attempt to give legal form to the same acknowledgment.

New Zealand’s Treaty of Waitangi, signed in 1840, was imperfect and has been systematically violated. Its English and Māori text versions say different things in important respects. But it was at least an attempt: two sovereign parties, negotiating the terms of coexistence. New Zealand’s present-

day constitutional and property law increasingly incorporates the Treaty as a living document. The process is incomplete and contested. It is still better than the Australian alternative — which was no treaty at all.

Truth is the prerequisite. Not because truth-telling is a ritual of healing, though it may be that too. Because you cannot negotiate between sovereign parties if one party is still officially pretending the other has no sovereignty. The Voice referendum failed partly because the debate was conducted without honest acknowledgment of what underlies the dispute. Without Truth, the Voice and Treaty elements of the Uluru Statement's sequence cannot be properly realised.

The scale of the remedy question

Private law has doctrines for benefits obtained through defective transactions, including unjust enrichment. Applied to a contract, the inquiry is tractable: identify the benefit, identify the defect, and decide what remedy follows. Applied to historical and constitutional foundations, the analogy is necessarily limited. The question becomes moral and political before it can become technical.

Six centuries of land acquisition without consent. Six centuries of resource extraction, cultural destruction, and forced labour. Slavery, colonial dispossession, the destruction of continuous Indigenous legal traditions, the suppression of women's participation in public life — each linked, on this book's argument, to a warrant whose legitimacy is historically and theologically contested. The beneficiary is not a person or a company. It is the institutional order itself.

There is a second doctrine. A transaction obtained by fraud is often treated as defective from the beginning. Lawyers call that idea void ab initio. This book does not ask the reader to apply that doctrine mechanically to states, titles, statutes, or constitutional orders. The analogy is narrower: when a system depends on a foundational warrant whose legitimacy is contested, an honest reckoning has to ask whether later practice cures the defect or merely normalises it. That question is not resolved here. It is named as the question an honest reckoning cannot set aside. Nothing in this section constitutes a legal conclusion in any specific matter or proceeding.

A distinction matters here. The foundational question reaches the office and the chain that constitutes it. It does not reach down to extinguish the living person who holds the office. The person's standing as a natural being does not derive from the institutional chain. What the chain constitutes is the authority of the office. The person who questions the chain — as a person, not

as the office — is standing on ground the chain did not create and cannot take away.

This is the question the Mabo court refused to open. Not because the question was unanswerable. Because, in the court's own words, examining it would fracture the skeleton of principle which gives the body of our law its shape and consistency. The system whose authority depends on the foundation is not well equipped to adjudicate the foundation. That is the structural problem.

What does an honest reckoning require when the remedy question is asked at this scale?

If the foundational instruments are historically and theologically defective — what follows for institutions built on them?

If restitution is the moral horizon — what does six centuries of return look like, and to whom?

Every act of slavery, colonial dispossession, and institutional exclusion was carried out under a warrant this book argues was historically and theologically defective. What do we call those acts now?

The system cannot answer these questions within its own framework. The book does not supply the answers. It names the questions that an honest reckoning cannot set aside.

The Role of Ordinary People

Most people reading this book did not cause the original fraud. They were born into a structure they did not design.

But “I didn’t cause it” and “I have no responsibility for it” are different claims. The second does not follow from the first. People who benefit from a system whose foundations they now understand have a different relationship to those foundations than people who simply didn’t know.

What does responsibility look like?

Not guilt. Guilt is useless here — an emotion that makes the person feeling it the centre of the story, when the story is about someone else.

Not performative solidarity. Demonstrations that cost nothing change nothing.

Responsibility looks like: supporting truth processes that are honest rather than managed. Refusing to accept property rights frameworks that still rely on the original fraudulent acquisition as if it were unproblematic. Paying attention to treaty processes in whatever jurisdiction you inhabit. Understanding that the question “by what authority?” applies to your own inheritance as well as to the official in front of you.

And, for those who came to this argument through the theological route — through the *By What Authority* series — there is a specific responsibility: refusing to let an institution claim Paul's authority for positions the authentic Paul does not support. Not because Paul was infallible. But because the claim to his authority for institutional coercion is itself a form of the fraud this book has traced.

For those who hold institutional authority — who sit on courts, write legislation, command police, or prosecute individuals under the framework — the responsibility is of a different kind. Their offices are part of the mechanism by which the framework is enforced. The good faith that protects institutional participants from personal accusation rests, in part, on what a person reasonably knew. Reading this far does not demand resignation, breach of duty, or structural collapse. But it means the question cannot now be unasked.

There is a moral difference between not knowing and choosing not to look. This book does not translate that difference into a legal conclusion about any reader.

What follows from that question — for any particular person, in any particular role — is theirs to work out.

There is a category between the institutional enforcer and the dispossessed that needs to be named separately, because it includes the largest group of all. It is the category of those who simply conform.

Conformity is the active mechanism by which the system sustains itself. Enforcement is a backstop, deployed when conformity fails. The papal bull does not enforce itself. The Discovery doctrine does not dispossess anyone on its own. The constitutional framework does not perpetuate itself. It requires the daily, ordinary, often unconscious participation of the population — paying the taxes, accepting the property system, using the courts, transacting under the legal terms, treating the institutional framework as the natural order of things. That participation is what produces the legitimacy the manufactured warrant requires to function. The system holds because people behave as if it holds.

A distinction has to be drawn that the system itself works hard to obscure. For the people most damaged by the fraudulent foundation — the dispossessed, the colonised, the descendants of those whose legal orders were declared null — conformity is not freely chosen. It is coerced. The cost of non-conformity falls most heavily on those the system has already harmed most. Their compliance is extracted under the threat of the very enforcement apparatus the system exists to provide. That is not complicity. That is survival inside a structure built to punish exit.

For those who benefit from the system — most of the readers of this book — conformity is a different act. Not because the beneficiary is morally worse than the dispossessed; the beneficiary did not design the system, and the structural conditions of daily life make any other choice prohibitively expensive. The system was specifically designed to make the costs of non-conformity high and the costs of conformity invisible. That is one of its most efficient achievements. But the act of conforming is not the same act when freely chosen as when coerced.

Before encountering the argument this book makes, conformity does not appear as a choice. It appears as reality — the way things simply are. There is no visible alternative. After encountering the argument, the character of the act changes, even if the behaviour does not. The change is sharpest where the conformity itself executes the architecture — where the role-holder's compliance is not just life inside the system but the operation of the system at its load-bearing points. For the institutional actor, continuing to perform the office is what the system requires to keep functioning; that act of conformity is structurally different in kind from the conformity of an ordinary person paying tax, accepting a property title, or appearing in court. For most readers, who are not load-bearing to the architecture, the change is narrower and more honest: the question, once asked, can no longer be unasked, and the choice to centre it or to set it aside becomes visible as a choice. Asking the question is not the same as answering it through behaviour. The book makes no claim that the second has to follow from the first. It claims only that the act of conforming, once the foundational question has been seen, is no longer the natural state. It is something the conforming reader is now in a position to know they are doing.

This is not a demand to stop conforming. The structural conditions that make non-conformity prohibitive are real. Most readers will continue to conform in most respects, because the alternative is unworkable inside a structure designed to make it unworkable. The point is not behavioural — it is descriptive. After this point, conformity is not the natural state. It is a choice, made in the knowledge of what is being conformed to. Honest accounting requires naming it as such.

The earliest recoverable Paul names exactly this dynamic. Romans 12:2 in the manuscript tradition that reaches us reads: *μὴ συσχηματίζεσθε τῷ αἰῶνι τούτῳ* — do not be conformed to this age. The Greek is precise: do not be fitted into the pattern of. It is not a moral instruction about being virtuous. It is a structural instruction about refusing to allow the framework being imposed to define the terms of existence. The instruction sits in the canonical text immediately before the most aggressively interpolated passage in the entire Pauline corpus — Romans 13:1-7, the demand for submission to the governing authorities. The juxtaposition is itself evidence. The refusal of

conformity stands in the text. The institutional editor placed the demand for conformity directly after it, in the same chapter, in the same letter, where any reader of one would necessarily encounter the other. The reader was meant to choose the second. The first remains in the text.

Chapter 24: How Grace Actually Works

A note on the register of this chapter. Where the rest of the book has been doing forensic work — manuscript evidence, documentary chain-tracing, primary-source citation — this chapter is doing constructive work. It draws on Paul's authentic letters and on modern restorative practice; but it is offered as a sketch of what the alternative actually looks like in practice, not as an exegetical finding the textual evidence forces. Readers who accept the textual case in Parts Two and Four are not thereby committed to every feature listed here. The chapter exists because the rest of the book would be incomplete without an answer to the obvious objection: a critique that only says no is useless. What follows is one attempt to draw the positive picture honestly. Other constructive readings are possible from the same evidence base. A reader who came here through the legal and constitutional argument, and who prefers to set the constructive sketch aside, can move directly to Appendix A, which returns to primary sources and case law.

A reasonable objection to everything this book has argued so far is: if the institutional framework rests on a contested warrant, what is the alternative? A critique that only says no is useless. If grace and restoration are not just words for the absence of order, then there has to be a description of what the working order actually looks like. Otherwise the book ends as the accounting demand reasserted in a different uniform.

This chapter is the attempt to draw that picture. It is necessarily a sketch. But six features can be named that are present in Paul's authentic letters and recoverable in modern practice. None of the six requires anyone to become a Christian or to adopt any framework other than their own. They describe practices, not a creed. Most readers will already recognise pieces of this in their own lives — in the families that work, the friendships that hold, the workplaces that are actually fair, the communities that have weathered things they should not have weathered. The pieces have always been there. What is missing is the public framework that would let them shape public life rather than survive against it.

Restoration before accounting

The first feature is the central one. When something breaks, the first move is toward restoration of the relationship, not toward establishing who is at fault and what they owe. The accounting may come later, in service of restoration; it is not the first question.

Volume 2's central image — the Father who makes his sun rise on the evil and the good, who sends rain on the just and the unjust, who reaches before any account of merit is rendered — is the alternative way in compressed form. Transactional logic stated exactly is the demand that the earnings be rendered before the settlement is granted; grace stating itself exactly is the reach that arrives before the question of earnings is even raised.

Modern restorative-justice movements in Western jurisdictions — increasingly used in juvenile cases, in schools, in some criminal cases — are recovering this architecture inside legal systems that were not built for it. The recovery is partial and contested, but it works. Re-offending rates are lower. Victims report higher satisfaction. The communities the wrong damaged actually heal. The New Zealand Family Group Conference model demonstrates the same motion at institutional scale: the people the breach affects sit with the people who caused it, and the resolution is what restores the relationship rather than what punishes the offender.

This is not soft justice. It is, in many ways, harder than the retributive architecture. Sitting with the person you harmed, looking at what you did, taking responsibility in the presence of the harm — this is more demanding than receiving a sentence and serving it in private. The retributive architecture is, by comparison, an evasion: the institution takes the wrong off your hands so you do not have to face the people you wronged.

Authority as relationship, not as position

The second feature follows from the first. In the retained-Paul architecture, authority is constituted by demonstrated trustworthiness inside relationships, not by position inside an institution.

Paul makes this move explicitly in Galatians 1, the most fiercely retained passage in his entire corpus: he received his gospel “neither from any man nor through any man, but through a revelation of Jesus Christ”; he did not consult with the apostles in Jerusalem; the pillars “added nothing to me.” This is not Paul being insubordinate. It is Paul refusing to let his authority be constituted by institutional accreditation. His authority comes from what he encountered and from what his communities can recognise as true. The

institution that built itself on his name reversed this immediately and has never recovered.

In practice, this looks like authority that has to be earned and re-earned, that does not transfer by appointment, that cannot be inherited or purchased. Teachers whose students keep coming back. Mediators who are trusted because their judgments hold. Doctors who are listened to because their care has been demonstrated. Public officials who are followed because they have shown, repeatedly, that they will not lie. The architecture is everywhere in fragments. What is missing is the public framework that recognises this as the architecture rather than as a happy exception inside the institutional framework.

Membership without ritual gatekeeping

The third feature is membership. In the institutional architecture, you are inside or outside on the basis of a ritual marker — baptism, citizenship paper, party membership, professional licence, identity document. The marker is the membership; without it you are outside even if every other relationship places you inside.

Paul attacks this directly. Galatians 3:28 — “there is neither Jew nor Greek, neither slave nor free, neither male nor female, for you are all one in Christ Jesus” — is the architectural claim that the ritual markers do not constitute the community. The Antioch confrontation with Peter is the same claim enforced in practice: the table is the membership, and a Jew refusing to eat with a Gentile because the Gentile lacks the ritual marker is restoring the architecture Paul says has been dissolved.

What this looks like in modern practice: communities that recognise people by what they actually do and how they actually relate, not by whether they hold the right credentials or come from the right group. Workplaces where competence and trust are the membership, not the badge. Religious communities (where they exist) that recognise the relationship rather than checking the baptismal record. Civic life that does not treat the absence of paperwork as the absence of the person.

Property held in trust

The fourth feature is the relationship to wealth and land. In the institutional architecture, property is owned — held against the rest of the world by the legal force of the sovereign — and ownership is the basis of standing.

Paul's authentic letters carry the alternative in unexpected places. The collection for the Jerusalem poor that he organises across multiple Gentile communities is not charity in the institutional sense; it is the working out of the principle that resources belong to the relationship, not to the holder. The early Pauline assemblies' shared meals and economic mutual support sit on the same architecture.

Modern recoveries of this are everywhere if you know to look. Land trusts that hold land out of the speculative market. Cooperative ownership models. Commons-based resource management. Mutual aid networks that operate on need rather than transaction. None of this requires the abolition of personal possessions; it requires the recognition that the deepest relationship to land and resource is custodial, and that the institutional architecture has built an ownership system that systematically severs that relationship.

Conflict held openly

The fifth feature is conflict resolution. The institutional architecture handles conflict by pushing it upward to an authority who decides — court, manager, bishop, party leader — and the parties accept the decision because the authority's position commands it. The retained-Paul architecture handles conflict by holding it open in front of the relationships affected, until a resolution emerges that the relationships can carry.

Paul's confrontation with Peter at Antioch (Galatians 2:11–14, retained) is this architecture in action inside the early church. Paul does not appeal to a higher institutional authority — there is none yet — and he does not back down. He argues openly with Peter “to his face, because he stood condemned.” The community present is the witness. The resolution is the resolution Paul writes about: not Peter's, not a council's, but the architectural truth that the table cannot be re-segregated without dissolving the gospel. What this looks like in practice: organisations and communities where conflict is not pushed upward to be decided but held in the room until what needs to be said is said. Modern equivalents include facilitated dialogue, restorative circles, deliberative-democracy experiments, mediation, and the better forms of family conferencing. It is harder than appeal to authority. It is also far more durable, because the resolution belongs to the people who have to live with it.

The community held lightly

The sixth feature is the most counter-intuitive. The retained-Paul architecture, despite being relational and embedded, holds the community lightly enough that the particular person retains direct access to what the community is constituted by. There is no priestly caste claiming exclusive mediation. There is no institutional layer between the person and the source.

Paul's hidden Father is hidden specifically from the institution, not from the person. Grace reaches the particular individual without ecclesial mediation. Volume 2's central image — the Father giving sun and rain to evil and good alike — is grace addressed directly to the particular individual, in the open, with no priest, no liturgy, no membership check. Quaker meeting, when it works, is the same architecture in a Western Christian register: silence, the direct approach, no clergy.

This matters because it is what protects the architecture from becoming a new institutional architecture wearing different clothes. Many renewal movements that start by breaking from an institution end by becoming the next institution, because they keep the institutional architecture in place and only swap the leadership. The architecture survives when it does not require an institution to mediate it. The community holds the relationship, and the relationship holds the community, but the person can hear the source directly. Remove the person's direct access, and what you have is not this architecture any longer.

This constructive sketch is intentionally limited. It names the architecture that the earlier argument has uncovered; it does not try to draft a new legal system or constitutional programme. The legal and theological conclusions belong in the next section, where the book returns to the primary sources, the cases, and the oath question.

Conclusion: The Standard Texts Confirm the Position

The argument that the system has a procedure for not answering the foundational question rather than an answer to it is not a hostile reading from outside the legal tradition. It is the position the standard works of constitutional law and jurisprudence themselves take. The system describes its own architecture, openly, in the textbooks it uses to train its officials. The next several paragraphs let those textbooks speak.

The architecture is not described into existence by the textbooks. It is enforced, sentence by sentence, in the case law. The Crown's acquisition of sovereignty over Australia was held in *Mabo v Queensland (No 2)* [1992] HCA 23 to be "an act of state which cannot be challenged, controlled or interfered with by the courts of that State" (Brennan J at [31]; the full passage is reproduced at Appendix A.3 of this volume). The same architecture appears across four centuries of Anglo-American constitutional jurisprudence: in *Cherokee Nation v Georgia* 30 U.S. 1 (1831), Marshall CJ holding the foundational acquisition of sovereignty over Indigenous peoples a question municipal courts will not examine; in *Coe v Commonwealth* (1979) 24 ALR 118, Gibbs J holding the contention of competing Aboriginal sovereignty "quite impossible in law to maintain"; in *Manuel v Attorney-General* [1983] Ch 77 (English Court of Appeal), holding parliamentary sovereignty unreviewable in any court; in *Madzimbamuto v Lardner-Burke* [1969] 1 AC 645 (Privy Council), the Privy Council reaffirming the same; and in the Bill of Rights 1689, Article 9, which by statute removes parliamentary proceedings from any court's review. The cases are uniform across Commonwealth jurisdictions over four centuries. The doctrine they enforce is settled. What the next several paragraphs do is read the textbooks the legal profession uses to describe and teach this body of law — Wade and Forsyth, Dicey, Hart — as hostile witnesses to it. The textbooks do not create the architecture. They describe it without disagreement, in the language of the discipline that operates it.

H. W. R. Wade and C. F. Forsyth's *Administrative Law* — now in its twelfth edition, the standard practitioner reference for public law in the United Kingdom and the Commonwealth, the textbook used to train administrative lawyers and to brief judges on the orthodox doctrine — opens its definitional chapter with a sentence that resolves the foundational question by removing it from the field. "Parliament as the legislature is sovereign and, subject to one exception, is beyond legal control." The exception is European Community law (now subject to its own withdrawal under the Brexit settlement, with the doctrinal point essentially restored). Wade is making a doctrinal point, not a philosophical one: the highest legal authority in a Westminster system is, by the doctrine's own terms, beyond legal review. Wade is not embarrassed by this. He treats it as the floor.

A few pages further on, in the section on the relationship between public law and political theory, Wade is more explicit about the architecture's posture. "Legal antipathy to political theory," he writes, "is likely to be motivated by instinctive belief in the virtue of objectivity in law, the belief that law should be kept as distinct as possible from politics, and that there is positive merit in keeping a gulf between them." Most students of public law, he observes, "feel no need to explore the theory which forms its background; or, if they do, they find little illumination." The gulf, he writes, "is taken for granted." This is the textbook used to train the people who train the people who run the system. It states, in its opening pages, that the foundational question is deliberately walked around — and that this walking-around is a feature of the discipline, not a failure of it.

The doctrinal architecture Wade is summarising is Dicey's. A. V. Dicey's *Introduction to the Study of the Law of the Constitution*, first published in 1885 and continuously in print ever since, is the foundational statement of parliamentary sovereignty in the Westminster tradition and is the text every constitutional-law student in the common-law world reads. Dicey's definition of sovereignty is famous and is, read straight, a definition of the foundational gap. "Parliament," he writes, "has, under the English constitution, the right to make or unmake any law whatever; and, further, that no person or body is recognised by the law of England as having a right to override or set aside the legislation of Parliament." That is the architecture in plain words. The highest legal authority is, by definition, beyond legal review. Dicey is not hiding the wall. He is describing it. The wall is the doctrine.

The conceptual machinery underneath the doctrine is Hart's. H. L. A. Hart's *The Concept of Law* (1961) sets out, in its sixth chapter on the rule of recognition, the standard positivist account of what makes law law. The rule of recognition is the rule by which a legal system identifies its valid laws. It is, on Hart's account, a social fact: the convergent practice of officials in accepting certain criteria as identifying valid law. The rule of recognition can-

not itself be derived from law, because it is what makes law law; its binding force, on Hart's own account, depends on its acceptance by officials. Hart distinguishes his rule of recognition from Hans Kelsen's *Grundnorm* — Kelsen called the foundational presupposition an extra-jural hypothesis the system requires but cannot prove — but the basic admission is the same in both: the foundation of legal validity is not itself a legal fact. It is either a presupposition (Kelsen) or a social practice (Hart). Hart's leading critic Ronald Dworkin sharpens the point: Hart never adequately explains how the rule of recognition arises, or why officials accept it. Even the standard jurisprudential text used to teach what makes law binding admits that the foundation is acceptance — and the leading critique of that text is that it does not explain how the acceptance arises.

Wade describes the doctrine. Dicey states it. Hart explains why it works. None of them creates it. The architecture is constituted, sentence by sentence, by the cases enumerated above — *Mabo*, *Coe*, *Cherokee Nation*, *Manuel*, *Madzimbamuto*, the Article 9 statutory bar — and by the constitutional doctrine those cases enforce: parliamentary sovereignty, act of state, non-justiciability, prerogative power. Three layers operate in unison. The cases enforce the architecture. The doctrine prescribes it. The textbooks describe it — and (this is the hostile-witness move) describe it openly, without pretending it answers the foundational question. The standard texts confirm what the standard cases enforce. None of the three layers rebuts the foundational challenge. They explain why the courts decline to entertain it, and why the doctrine treats the question as out of place. That is the architecture this chapter has been describing — described, openly, in the textbooks the system itself uses to train its officials, and enforced, repeatedly, in the cases the system uses to maintain itself. The argument that follows is not external to the system. It is what the architecture says about itself, with the rhetoric of features stripped off and the structural admission left visible.

The hostile-witness reading of those texts — reading them straight, with the rhetoric of normalisation stripped off — produces the picture this chapter has been working towards: the foundation of the legal order is, on the doctrine's own admission, a social fact rather than a legal one. The system holds because people behave as if it holds. That is consoling and unsettling at once. The consoling truth is that a system grounded on collective acceptance can be more easily renewed than it can be defended at the foundational level. The unsettling truth is that the inheritance of European constitutional thought, when followed to its floor, does not supply what looks like a foundational answer to the foundational question — and that, asked at sufficient scale, the absence of such an answer functionally produces what the answer would be if it could be given.

Whether modern states can survive the latter revelation, openly and widely stated, is on the historical evidence an open question — states have absorbed admissions of fraudulent foundation and continued at some moments, and not at others. What does not survive that admission is the form of the legitimacy claim. A state that has acknowledged the foundation cannot any longer plausibly claim its present authority as the unbroken inheritance of legitimate sovereignty. What it claims authority on instead becomes the question.

This is not a threat. It is a description of where the power actually resides. The system is sustained by a kind of collective acceptance that can be withdrawn. Not through violence — violence validates the system's narrative that order must be defended. Through the persistent, clear, well-informed, patient refusal to pretend that questions that have answers cannot be asked. Every person who follows the chain of authority to its bottom — who asks "by what authority?" and follows the answer past the point where the official stops answering — performs a function the system has no institutional response to. Not rebellion. Clarity. The system cannot arrest clarity. It can only become more and more obviously the thing it has always been beneath the forms: an arrangement of power that tells stories about itself to avoid examining its own foundations.

Paul, in the earliest recoverable version of his letters, described this logic with a specific metaphor. The law — the regime of coercive authority claiming divine sanction — has no power over those who see through it. Not because seeing through it makes the authorities go away. Because the authority of the law depends on the subject's belief in its divine sanction. Remove the sanction, and what remains is force, not authority. Force and authority are not the same thing.

The question this book has traced — from Australian constitutional law back to fifteenth-century papal bulls back to the editing of Paul's letters back to the claim that Paul's God abolishes legal coercion as a divine mechanism — is ultimately a question about what we believe justifies power.

The answer the chain gives us, when followed to the bottom, is: nothing does. Nothing external. Nothing outside the social agreement of the people subject to the power.

That is not nihilism. It is an observation about where the load actually sits. If the foundation is social agreement, then the agreement can in principle be examined and reconsidered. What such a reconsideration would require, what it would look like in practice, and what it would in practice produce, are not questions this volume is in a position to answer. It is in a position to say that the question — and the agreement underneath it — is not a fixed natural fact, and that the absence of examination is not the same thing as the impossibility of it.

What the authentic Pauline material does to all of this

The architecture set out across this chapter — cases enforcing, doctrine prescribing, textbooks describing — has a genealogy. None of the architecture's components arose *ex nihilo* in the eighteenth or nineteenth century. Each was inherited, modified, secularised in surface vocabulary while preserving structure. The architecture's claim to legitimacy in the centuries of its consolidation was theological. The post-1689 settlement that gave Wade and Dicey the doctrine of parliamentary sovereignty replaced the explicit theology of the divine right of kings while retaining the structural feature the theology had authorised: that the highest authority in the polity is, by its constitution, beyond examination. The change was lexical, not architectural. The architecture continued in operation under new vocabulary.

The theological authorisation it inherited was, almost without exception, drawn from a small set of Pauline and pseudo-Pauline passages. Romans 13:1-7 — “Let every soul be subject unto the higher powers, for there is no power but of God; the powers that be are ordained of God; whosoever therefore resisteth the power, resisteth the ordinance of God” — was the foundational text for sacralised obedience to state authority through fifteen centuries of Christian polity, cited in coronation liturgies, treason prosecutions, anti-resistance pamphlets, and the constitutional theory that flowed into Wade and Dicey. 1 Peter 2:13-17 (“Submit yourselves to every ordinance of man for the Lord's sake ... honour the king”) runs in parallel. Titus 3:1 (“Put them in mind to be subject to principalities and powers, to obey magistrates”) is the third pillar. All three are identified by the textual case in Volumes 1 and 2 (Walker, Munro, and the running argument from manuscript variation, abrupt insertion in context, and theological dissonance with the surrounding undisputed material) as either interpolations into authentic Pauline letters or pseudonymous compositions written in Paul's name. The authentic Paul did not write them. Where the surrounding text is authentic, they were inserted into a letter that on its own logic could not have produced them.

The sovereignty-by-discovery chain that Mabo declines to examine has its own Pauline genealogy. The Crown's claim to acquire sovereignty over Australia by “settlement” rests, historically and doctrinally, on the Doctrine of Discovery. The Doctrine of Discovery was authorised by the papal bulls *Dum Diversas* (1452), *Romanus Pontifex* (1455), and *Inter Caetera* (1493). The bulls are explicit about what they rest on: the papacy's claim to universal jurisdiction over all peoples of the earth, derived in turn from the Petrine commission at Matthew 16:18-19 (“Upon this rock I will build my church ... whatever you bind on earth shall be bound in heaven”). Chapter 5 of this

volume sets out the convergent textual case against the Petrine commission as authentic dominical material: form-critical vocabulary that is institutional rather than itinerant; the silence of the earliest patristic record on a saying that, if it had been known and recognised in the first and early second century, would have settled every controversy about authority in which it could have been deployed; the silence of the undisputed Pauline letters on any apostolic primacy attaching to Peter; and lexical signatures consistent with later compositional layers. The Petrine commission is, on the convergent textual evidence, a later compositional addition. The papal bulls rest on it. The Doctrine of Discovery rests on the bulls. Mabo's "act of state" rests on Discovery. The act of state is held non-justiciable. But the chain that the act of state stands on is documented, traceable, and at its origin textually constructed.

What the authentic Paul actually says — recoverable from the manuscript reconstruction of Volumes 1 and 2, the Marcionite recension, the patristic citations from before the canonical edition consolidated, and the internal contradictions visible within the canonical text itself — is incompatible with the architecture the canonical material was used to authorise. For freedom Christ has set us free; stand firm therefore, and do not submit again to a yoke of slavery (Galatians 5:1). You were bought with a price; do not become slaves of human masters (1 Corinthians 7:23). You did not receive a spirit of slavery to fall back into fear, but you have received a spirit of adoption (Romans 8:15). Do not be conformed to this age (Romans 12:2 — *μη συσχηματίζεσθε τῷ αἰῶνι τούτῳ* — twelve verses upstream of Romans 13's submission text and theologically incompatible with it; the editorial seam is visible to anyone reading the chapters in sequence). There is neither Jew nor Greek, neither slave nor free, neither male nor female; for you are all one in Christ Jesus (Galatians 3:28). The authentic Paul does not authorise sworn subjection to human masters. He names sworn subjection to human masters as the bondage from which the gospel sets the believer free. That is not a polemical reading. It is the text in its earliest recoverable form.

The implication for Wade, Dicey, and Hart is structural rather than personal. None of the three is being arraigned as an architect of the fraud. They are inheritors. They wrote in legal traditions whose post-1689 secularised vocabulary had quietly retired the explicit theological scaffolding without dismantling the structure the scaffolding had supported. They did not examine the genealogy because the discipline they were operating in does not regard genealogy as a legal mode of inquiry. Their work is accurate as a description of the architecture as it stands. It is also, simultaneously, a transmission mechanism for the architecture, performed (one assumes in good faith) without examination of the textual record on which the architecture's original authorisation was constructed. The hostile-witness move earlier in this

chapter establishes that the textbooks describe what the cases enforce. The Pauline genealogy adds: the cases enforce, and the textbooks describe, an architecture whose original theological warrant — when examined as a textual record rather than as an article of faith — does not survive examination. The authors are not the architects. They are accurate describers of a structure whose foundation is not what the structure claims it to be.

The implication for the case law is sharper. Mabo declines to examine the Crown's foundational acquisition because to do so "would fracture the skeleton of principle which gives the body of our law its shape and internal consistency" (Brennan J at [29]). The court's procedural decision not to examine the foundation does not change the textual fact that the foundation is documented and that the documentation, when traced to its origin, dissolves. The court's silence is not a constitutive fact about the foundation. It is a constitutive fact about the court. The architecture is sustained by the court's procedural commitment not to look — and by every subsequent court's adoption of the same commitment. The textual work in Volumes 1 and 2 of this series, and the genealogical chain in this volume's earlier chapters, is the only available mode of asking the foundational question that the legal architecture has been constructed to bracket. The architecture has not closed off the textual record because the architecture does not regard the textual record as a legal mode of inquiry. The textual record, however, exists. It can be read. And it produces the answer the architecture has been declining to give.

This is the recursive completion of the chapter's argument. The system has a procedure for not answering the foundational question. The textbooks describe the procedure. The case law enforces it. The textual work asks the question by the route the procedure has not closed. The answer the textual work produces is not a legal claim, and it does not require any court to confirm it. It is a documentary observation about the texts that the institutional architecture claims to derive its authority from. The texts are recoverable. The reading is available. The architecture's claim to derive its authority from the Pauline material is, on the textual record, false. The architecture's silence on the foundation is procedural. The textual answer to the foundational question is documentary. The two are not in the same category. The procedure can decline to hear the answer; it cannot prevent the answer from being on the record.

But the question has been asked. It has been followed. It cannot now be avoided.

By what authority?

What Remains

A note on the register of this conclusion. Three layers operate in the pages that follow and the reader is invited to keep them separate. First, the documented chain — the papal bulls, the manuscript record, the constitutional history, Cook's secret instructions, Mabo, the Vatican statements — is checkable from primary sources and stands on the evidence in Appendix A. Second, the institutional inference (that the same body which produced the Pauline edits then used the edited text for these specific institutional purposes, and that this is the chain on which European territorial sovereignty came to rest) follows from the documented chain if the textual case in Volumes 1 and 2 holds. Third, the architectural reading (the hidden Father, the transaction/grace compression, the diagnosis of conformity, the chain-of-oaths analysis) is the author's interpretive synthesis of what the textual finding turns out to imply, offered as one defensible reading of the evidence and not as the only one. Where the prose elevates in what follows, it is operating in the third layer; the reader who finds the third-layer framing overreaches need not let go of the first two. The closing pages also invoke the Volume 2 framework — the transactional logic and grace, the reach-before-reckoning compression — to draw the architectural argument together. That framework is itself a third-layer reading, not a finding the textual evidence on its own forces.

The By What Authority series set out to answer a forensic question about first-century texts. What it found — documented in manuscripts, patristic sources, and the patterns of vocabulary and ideology — was a programme of systematic editorial alteration whose effect — and, on this reconstruction, whose purpose — was institutional self-legitimation.

If the reconstruction holds, that analysis does not stay in the realm of biblical scholarship.

On this analysis — if the textual case holds — the institution that, on the reconstruction, edited those texts used them to claim universal authority. That authority was the claimed foundation of the Doctrine of Discovery. The Doctrine was the instrument of global colonisation. The colonisation pro-

duced the legal frameworks that still govern the territorial claims of most nation-states.

The institutional chain from papal warrant to colonial legal frameworks is historically documentable. The further claim — that this chain rests on texts whose authority was editorially manufactured — depends on the Pauline textual case argued in Volumes 1 and 2.

None of this requires the reader to become an anarchist, a revolutionary, or an atheist. It requires honesty. The specific honesty of following a question to its answer rather than stopping at the point where the answer becomes inconvenient.

The honest answer is: by the authority of what we have collectively agreed to treat as authority — and what we have collectively agreed to not examine too closely.

That agreement is not eternal. It can in principle be examined and reconsidered. The reconsideration begins with the question being asked. What it produces, if it is asked seriously and at scale, is not for this volume to predict — but the institutional record suggests that the act of asking the foundational question, openly and across a sufficient number of the people the institution depends on for its operation, has historically been the inflection point at which institutional architectures shift.

There is one historical observation that does not fit comfortably anywhere in the legal argument and so belongs at the end. The most heavily edited letter in the Pauline corpus — the letter that contains Romans 13:1-7, the proof-text of state obedience deployed for two thousand years to justify submission to the governing authorities — bears the name of the city that, by the editing institution's own claim, validated its universal authority. The letter is named for Rome.

The most ambitious modern attempt to limit state authority — to establish that crimes against humanity attach to individual responsibility regardless of sovereign command — was negotiated in the same city, in 1998, and bears the same name. The Rome Statute.

The two documents are not connected by intention. They are separated by nineteen hundred years. But they are connected by what they bear on. Both concern the relationship between the individual and state authority. The first was edited at Rome to subordinate the individual to the state. The second was drafted at Rome to subordinate the state to a higher principle that protects the individual. The first carries, twelve verses earlier, the instruction the editor did not remove and could not remove because it was too central — μη συσχηματίζεσθε τῷ αἰῶνι τούτῳ, do not be conformed to this age. The second carries, in its temporal cut-offs and complementarity clauses

and Security Council vetoes, the structural conformity to the existing chain that limits how far the principle can be applied.

Both documents bear the seed of their own opposite. The Pauline letter to the Romans was captured by the institution that edited it; the principle of refusal of conformity remained in the text and could not be removed. The Rome Statute was captured by the states that drafted it; the principle of individual responsibility for crimes against humanity remains in the document and cannot be removed. The institutional capture is real in both cases. The principle each carries — older than the capture, durable beneath the editing — is also real.

What follows is not part of the documented historical chain but a concluding historical parallel the volume offers for reflection.

Two Roman documents, nineteen hundred years apart, bearing the same name, addressing the same question, capturing themselves in the same way, leaving the same uncapturable principle in the text. The pattern is, structurally, the same institutional logic encountering the same uncontainable principle twice, under the same name. The first time, the institution won the visible argument and the principle survived in the text. The second occurrence is too recent to assess; what is observable is that the institutional logic is operating in the same direction, and the principle remains in the document beneath it.

Grace from Both Sides

A legal proceeding requires three things to function: a party maintaining a claim, a party maintaining a defence, and an authority with jurisdiction to adjudicate between them. Remove any one of these and the proceeding collapses. The authority persists as an institution, but it has no case. Its jurisdiction is real but has nothing to act upon.

Grace from one side is something the system absorbs without difficulty. The claimant releases the claim. The proceeding ends. But the defendant remains a legal subject. Future claims remain possible. The court persists, constituted for whatever comes next.

Grace from both sides is a different event entirely. If neither party maintains the posture that constitutes them as adversarial legal subjects — if the claimant releases the claim and the defendant releases the standing to answer within the framework — the court has nothing left to adjudicate. Not because the wrong did not happen. Not because the law was abolished. But because neither party is any longer inside the framework that makes the law operative between them. This is not a more generous version of one-

sided grace. It is a different kind of event, and it poses a structural threat of a different order.

The asymmetry matters. The defendant cannot dissolve the court by their own act. Better performance, deeper remorse, fuller compliance — all of these remain inside the framework. They improve the debtor's position within the transaction; they do not exit the transaction. A defendant who abandons the field does not dissolve the proceeding; the court continues without them, and they lose by default. The power to end the adversarial structure sits entirely with the one who holds the claim. Only the claimant's unconditional release closes the proceeding. This means the dissolution of the transaction structure is not the outcome of both parties meeting each other halfway. It is the prior, unilateral act of the creditor — releasing the claim before the debtor has done anything to warrant it, from outside the logic that would require waiting for a sufficient performance.

This is what Paul means by “died to the law.” The metaphor is not attitudinal. A dead man cannot be brought to court, and a dead man cannot bring one. The legal relationship has not been resolved. It has been dissolved. What remains between the parties is not a legal relationship with better terms. It is what Paul calls *koinōnia* — participation, shared being — a constitutive relationship for which law has no category.

Every legal system has a structural response when grace threatens to operate from both sides simultaneously. It absorbs the act of grace back into the transaction framework before it can dissolve the adversarial structure. Forgiveness is converted into a release of claim — a legal instrument with formal requirements and enforceable effects. It is no longer grace; it is a structured waiver, which is another kind of contract. Reconciliation becomes settlement — a negotiated agreement between parties who remain legal subjects through the process. The act of reaching across dissolves into a document, and the court remains constituted.

This is why, in most common-law jurisdictions, an apology can be entered as evidence of liability. The moment a party reaches toward the other in the most basic gesture of acknowledgment — “I was wrong” — the legal system grabs that gesture and converts it into an admission. Several jurisdictions have had to pass specific apology protection legislation to carve out space where an expression of remorse cannot be weaponised in this way. The fact that such legislation is necessary tells you how complete the default absorption mechanism is: the baseline rule is that reaching toward the other party is legally dangerous.

The institution did exactly what courts do, for exactly the same structural reason. Grace was not left to operate from both sides. It was formalised into a sacrament administered by authorised clergy. It was conditionalised on correct belief, proper confession, membership in the right community. It

was sequenced downstream of judgment — first the determination of guilt, then the granting of absolution — so that grace never operated upstream of the adversarial structure. The transaction was restored under a vocabulary of mercy. The court was reconstituted. The accounting was running.

Each of the interpolations identified across Volumes 1 and 2 is, on this reading, a single application of the same mechanism. The faith requirement inserted into the Abraham passage restores the performance condition. The household codes restore the authority hierarchy. Romans 13 restores the sovereign's claim on the subject's obedience. The Israel-restoration passages restore the covenant-continuity framework under which God remains a creditor whose account with humanity is still open. None of these additions contradicts grace as a word. All of them convert grace from a two-sided dissolution of the legal relationship into a one-sided benefit dispensed by an authorised institution to those who qualify. The court is back. The accounting is running.

The absorption was not malicious. It was structural. The bishops and compilers who edited Paul's letters were not cynical operatives. They were churchmen doing what every institution does when confronted with grace operating from both sides: restoring the framework that gives the institution its jurisdiction. You cannot administer something that has dissolved the administrative structure. A grace that needs no mediator requires no clergy. A relationship that exists outside the legal framework requires no court. An authority constituted by direct encounter rather than by institutional appointment requires no hierarchy to confirm it. The institution had to absorb the logic or become unnecessary.

What the authentic letters carry — still, beneath the editing — is the logic the absorption was designed to manage. *There is therefore now no condemnation.* Not “the condemnation has been paid off.” Not “the account has been settled under new terms.” No condemnation. The claim-structure is absent. *For freedom Christ has set us free* — not from the penalties the law imposes, but from the framework of earned-and-owed that makes those penalties the governing reality. The absorption defends a structure; the logic it managed is still on the record, still in the text, available to anyone who reads it.

That is the point from which everything else in this volume follows.

A Theological Reading: What the Evidence Points Toward

But there is one further thing to name, because the book cannot end honestly without it.

Chapter 21 identified the foundational-warrant gap: the space between “this specific order is manifestly unlawful” and “the authority from which all or-

ders in this system derive is itself unsound.” Every legal vocabulary available to address that gap turns out to be constituted by the chain being questioned. Kelsen’s *Grundnorm* is simply assumed valid. Hart’s rule of recognition is a social fact, not a moral claim. The system cannot look at its own floor. Legal positivism is structurally designed to be unable to examine the legitimacy of its own foundation. This is not a flaw the system overlooked. It is a feature the system required.

The By What Authority series has, across five volumes, been documenting what was edited and why. The editorial work — systematic, concentrated at precise theological points, visible in the manuscript record — removed from Paul’s letters exactly the material that names this gap and answers it. You were bought with a price; do not become bondservants of men. The purchase, Paul says, already occurred. The prior commitment is already made. The oath-slot was already filled before the institution asked for it.

At this point the argument leaves the register of legal-historical inference and enters the register of theological conscience. For readers who grant the Layer 3 reading, Paul’s language does not merely limit sovereign claims; it relativises them before a prior allegiance.

That is not a legal argument. It cannot be adjudicated in the courts of the chain, because the courts of the chain cannot examine the chain’s own floor. It is a conscience claim. It is politically explosive because it says the sovereign’s claim is not ultimate. The freedom Christ brought is not contingent on the institution’s consent. For freedom Christ has set us free; stand firm therefore, and do not submit again to a yoke of bondage.

This is why the father is hidden. Not because the texts are obscure, or the Greek is difficult, or the manuscript tradition cannot be read. He is hidden because a system built on hierarchical sovereign oaths sits in structural tension with a theology that names those oaths as the bondage from which the gospel sets the believer free, and the institution responsible for transmission, at the recoverable points of editorial decision identified in Volume 2, preferred the architecture over the theology that named it. The one who reaches the evil and the good alike before any account of merit is rendered — who does not wait at the end of a chain of priestly, judicial, and sovereign intermediaries — does not fit easily inside the institutional architecture, and seventeen centuries of editing have moved the texts in the direction the architecture required.

A register-note. What follows is the theological synthesis the volume has been working toward, stated in its own register. The documentary and textual case — that the foundational instruments rest on a warrant whose textual basis Volume 2 argues is editorially constructed — does not require Layer 3; Layers 1 and 2 carry that argument. What Layer 3 adds is the fuller picture of what was displaced. This synthesis does not follow from the doc-

umented chain alone. It follows from the documented chain (Layer 1) together with the textual case Volume 2 establishes for the interpolation pattern in Paul (Layer 2) and the theological reading of the transaction/grace contrast this volume has offered as the lens through which the authentic Pauline material is heard (Layer 3). A reader who has accepted Layers 1 and 2 but not Layer 3 should hear what follows as the volume's reading rather than as a finding established by the documented chain alone. The reading is offered for the weight it carries. It is not claimed as established by Layer 1 by itself.

He is not harder to see now.

In the account this volume has offered, the Father is still reaching, addressed to the evil and the good alike. The accounting was never going to settle this. The demand that earnings be rendered before settlement could be granted was never going to be answered to its own satisfaction, because that satisfaction was the wrong measure all along.

The question "by what authority?" turns out to have two answers. One is the answer the institution gives: the chain, the precedent, the warrant. The other is the answer Paul's letters have always been carrying. A prior commitment, constituted from outside the chain. Not derived from the chain's authority. Not revocable by the chain. Not required to justify itself to any court or council convened under the chain's warrant.

The chain has been traced. The floor has been named. Whether the reader receives the theological reading or sets it aside, the documented argument stands. The question the institution has spent six centuries managing is now in the open. What is done with it is not the book's to decide.

A note toward what comes next — and what does not

The natural question at this point is: if not this system, then what? If the foundation is fraudulent, what do we build instead?

It is the right question. But it contains a trap that this book has been documenting for two hundred pages. The trap is in the word build. The moment the question is answered with build a new system — a Christ-based institutional framework, a grace-architecture constitution, a restored-authority alternative — the answer has already reproduced the problem. It has placed the relationship inside a structure that claims to constitute it, rather than serve it. Every church council, every reforming theocracy, every utopian community that has tried to answer this question by systematising grace has within a generation or two built a new *nomos* on top of it. Paul's own letters were being interpolated before the first century was out. The letter

kills. That is not a warning about a specific institution. It is a structural observation about what happens when you try to write freedom into law.

Paul is not an anarchist and this book is not advocating one. For all who are led by the Spirit of God are children of God (Rom 8:14 ATT) is not an argument against structure. It is an argument against a specific kind of structure: the kind that claims divine sanction for its own authority, binds relationship to compliance with its rules, mediates access to the Father through institutional intermediaries, and maintains itself through retributive logic. The question is not structure or no structure. It is what does the structure rest on, and what is it for?

The distinction is load-bearing

A structure that serves the relationship dissolves — at the limit, costs itself — rather than subordinate the people it exists for to the machinery of its own perpetuation. Its authority runs toward those it protects, not upward to the sovereign who appointed it. The doctor whose obligation to the patient survives any employment relationship is one example of this still operating inside the current system. The Quaker meeting whose decision-making requires no hierarchy to function is another. These are not novel constructions. They are already present.

The pieces of the grace-architecture are not absent from the world. They are already operating — in the friendships that hold under pressure, the communities that have weathered things they should not have weathered, the workplaces that are actually fair, the places where the accounting stops and the relationship is restored without conditions being met first. They survive against the current system rather than constituting it. The problem is not that the pieces do not exist. The problem is that the public framework — the legal, institutional, and cultural architecture that lets the pieces aggregate and become the default rather than the exception — is still the one this book has been examining.

The question of what comes next is not primarily a theological one — the theological ground has now been cleared. It is a political and social question: what conditions allow what already exists to constitute the system rather than survive against it? The answer that was always outside the chain has been named. What was suppressed, and why, and by whom, is documented. The work that remains is to ask what it looks like, in practice, when the nomos-architecture is no longer the default.

One territory this volume names but does not enter: what the dissolution of the chain implies for the legal system the chain produced. The section on grace from both sides opens onto questions this book has not addressed — about punishment theory and the concept of desert that makes retributive

justice function; about the basis on which the state presses criminal claims even after the victim has released them; about the oath infrastructure that constitutes legal authority at every level of the system this volume has traced. Those questions are real. They belong to a different inquiry. A reader who finds them pressing will know what to do with them.

This volume has done what it set out to do: trace the chain to its floor, name the gap, and let the hidden Father be seen reaching again.

A note for readers who have sworn or affirmed an oath

If you have read this volume to its end and have, at some point, sworn or affirmed an oath of office — judicial, parliamentary, executive, public service, military, police, professional, or otherwise — the volume now sits in a particular relation to that oath. What that relation requires of you is not for this document to say. The oath was yours. The interpretation of it is yours. The determination of what good faith now means in your specific position is yours.

This volume has traced what the chain of authority rests on, where its load-bearing instruments came from, and where its contestable points sit. That descriptive work is not the same as telling any reader what to do next.

What follows, in your specific case, is between you and the words you said when you took your oath or made your affirmation. The volume does not decide that reckoning for you. It asks only that the question not be treated as one you have not seen.

The Question That Remains

The chain this book traces does not end in the fifteenth century. It ends here. In the present. In the courts that rule in their own cause. In the oaths sworn to a warrant whose legitimacy is the very question at issue. In the institutions that enforce, in good faith, a legal order whose foundational act belongs to the same category as the acts it prosecutes.

By what authority?

The question is not rhetorical. It is not political. It is not a grievance searching for a forum. It is a structural question that the system cannot ask of itself — not because those inside it are dishonest, but because the system's continued authority depends on the question not being examined. That is not bad faith. That is the architecture.

The textual argument in Volumes 1 and 2 begins at the same place. The passages that most insist on submission — on governing authorities, on hierarchy, on silence — are also the passages that behave most strangely in the manuscript tradition. They arrive late. They shift position. They write in a voice the surrounding material does not recognise. The authentic Paul does not submit. He says: for freedom Christ has set us free; do not submit again to a yoke of bondage. The passages that say the opposite were, on this analysis, inserted.

What the two arguments share — the textual and the institutional — is the same diagnostic question: what was added here, and why?

In the text: the later editors needed submission. The argument that had broken from law was made to re-endorse it. At the institutional scale: the later instruments needed submission. The warrant was constructed after the fact. — *Laudabiliter* — *Inter Caetera* — the Doctrine of Discovery — the oaths. The same foundational move, structurally: the same architecture of manufactured warrant, at larger scale.

Neither the canonical text nor the colonial legal order collapsed when the forgery was identified. Both depended on something more durable than the document — on the weight of accumulated practice, on institutions built on

the assumption that the foundation held, on the good faith of every participant who did not ask the question.

The question was not asked. This book asks it.

What follows from a genuine answer is not resolved here. The legal implications belong to those with standing and expertise. The political implications belong to the communities whose prior foundations the chain displaced. The theological implications belong to those inside the tradition.

What this book asserts is narrower: the question is open. It was always open. The apparent closing of it — through authority, through accumulated practice, through the weight of institutions that depend on the answer remaining settled — does not close it.

It only postpones the asking.

One structural observation before the appendices. The Ethiopian Orthodox Tewahedo Church holds the largest biblical canon in traditional Christendom — 81 books, including the Book of Enoch and the Book of Jubilees, texts preserved complete only in the Ge'ez language and excluded from the Western canon by the late fourth century. Those two texts are the primary extant sources for the Second Temple cosmological framework underlying Paul's authentic argument in Galatians 4 — the argument that Torah observance and pagan idolatry belong to the same category of enslavement to cosmic powers. Without them, that argument becomes opaque to Western readers. The interpolated pedagogical law sequence in Galatians 3:15–25 existed partly because the Western tradition had suppressed the background that would have made the authentic argument readable without it. The Ethiopian church never adopted the Athanasian canon restriction that excluded those texts. It also never came under the authority of the Doctrine of Discovery. At Adwa in 1896, the Ethiopian Empire defeated the Italian colonial force — the only successful military resistance to a European colonial power in the modern era. The correlation is structural: the same Western canonical authority that produced the edited, submission-endorsing Paul also closed the canon in a way that suppressed the texts that make the editing visible. The tradition that refused the canon restriction also refused the sovereignty claim built on what that restriction produced. Both refusals come from the same place.

Appendix A: Key Documents

A.1 — Dum Diversas (1452), key passage

Pope Nicholas V to King Afonso V of Portugal, 18 June 1452

“We grant to you full and free power, through the Apostolic authority by this edict, to invade, conquer, fight, subjugate the Saracens and pagans, and other infidels and other enemies of Christ, and wherever established their Kingdoms, Duchies, Royal Palaces, Principalities and other dominions, lands, places, estates, camps and any other possessions... and to lead their persons in perpetual servitude, and to apply and appropriate realms, duchies, royal palaces, principalities and other dominions, possessions, and goods, and to convert them to his and their use and profit.”

(Source: Doctrine of Discovery Project, doctrineofdiscovery.org; Bullarium Patronatus Portugalliae Regum)

A.2 — Cook’s Instructions (1768), key passage

Admiralty to Lieutenant James Cook, 30 July 1768

“You are likewise to observe the Genius, Temper, Disposition and Number of the Natives, if there be any and endeavour by all proper means to cultivate a Friendship and Alliance with them... You are also with the Consent of the Natives to take Possession of Convenient Situations in the Country in the Name of the King of Great Britain: Or: if you find the Country uninhabited take Possession for his Majesty by setting up Proper Marks and Inscriptions, as first discoverers and possessors.”

(Source: National Library of Australia, nla.gov.au; AustLII IndigLRes 1768/1)

A.3 — *Mabo v Queensland (No 2)*, key passage

Brennan J., at paragraph 31-32

“The acquisition of territory by a sovereign State for the first time is an act of state which cannot be challenged, controlled or interfered with by the courts of that State... The recognition is accorded simply on the footing that such a prerogative act is an act of State the validity of which is not justiciable in the municipal courts.”

“Although the question whether a territory has been acquired by the Crown is not justiciable before municipal courts, those courts have jurisdiction to determine the consequences of an acquisition under municipal law.”

(Source: AustLII HCA 1992/23)

A.4 — Vatican Joint Statement (2023), key passage

Dicasteries for Culture and Education and for Promoting Integral Human Development, 30 March 2023:

“The ‘doctrine of discovery’ is not part of the teaching of the Catholic Church. Historical research clearly demonstrates that the papal documents in question, written in a specific historical period and linked to political questions, have never been considered expressions of the Catholic faith. At the same time, the Church acknowledges that these papal bulls did not adequately reflect the equal dignity and rights of indigenous peoples... The Church is also aware that the contents of these documents were manipulated for political purposes by competing colonial powers...”

The Catholic Church therefore repudiates those concepts that fail to recognize the inherent human rights of indigenous peoples, including what has become known as the legal and political ‘doctrine of discovery’.”

(Source: press.vatican.va, 30 March 2023)

The Vatican’s statement did not formally rescind or abrogate *Dum Diversas*, *Romanus Pontifex*, or *Inter Caetera*. The repudiation is of the “doctrine” — the legal framework built from the bulls — while the bulls themselves remain formally unrescinded. Critics including many Indigenous leaders have noted this limitation.

Appendix B: The Scale of the Editorial Programme

(From the Hidden Father verse-level adjudication corpus — rag_verses.json — and Companion B’s reconstruction statistics.)

The claim that the institutional editing of the Pauline letters was a programme rather than a scattering of isolated cases needs to be visible at scale, not merely asserted. The numbers below are the corpus-wide picture from the verse-by-verse adjudication.

Corpus-wide totals

Measure	Value
Total verses in the ten-letter Pauline corpus (model)*	1,794
Verses retained as recoverable Paul (status ATT)	1,358 (75.7%)
Verses adjudicated suspect and retained in reconstruction (status SUS, exclude=False)	65 (3.6%)
Verses adjudicated suspect but excluded (status SUS, exclude=True)	41 (2.3%)
Verses adjudicated removed as interpolation (status REM)	330 (18.4%)
Total verses excluded from the reconstruction (REM + SUS-excluded)	371 (20.7%)
Total verses adjudicated as suspect or removed (REM + SUS)	436 (24.3%)

The model treats Ephesians/Laodiceans and the Colossians/Philemon block as authentic Pauline material; the three Pastoral Epistles (1–2 Timothy, Titus) are excluded in toto* on the basis of the standard critical consensus on their pseudonymity, and so are not counted in the 1,794.

Distribution by letter

Letter	Total	ATT	SUS	REM	Ex-cluded	% Ex-cluded
Romans	436	177	18	241	250	57.3%
1 Corinthians	437	390	29	18	18	4.1%
2 Corinthians	257	250	1	6	6	2.3%
Galatians	149	130	2	17	17	11.4%
Ephesians / Laodiceans	155	124	10	21	21	13.5%
Philippians	104	103	1	0	0	0.0%
Colossians	95	63	23	9	27	28.4%
1 Thessalonians	89	86	0	3	3	3.4%
2 Thessalonians	47	10	22	15	29	61.7%
Philemon	25	25	0	0	0	0.0%

Confidence distribution of the REM-flagged verses

Of the 330 verses adjudicated as removed (REM), the confidence distribution is:

Confidence band	Count	Notes
90%+ (CONFIRMED)	257	Multi-signal convergence — manuscript witness + internal anachronism + Marcionite absence + stylometric divergence
70–89% (PROBABLE)	73	Strong but non-unanimous signal convergence
50–69% (POSSIBLE)	0	Single dominant signal with corroboration

Where the editing concentrates

The exclusion rates are not evenly distributed and the concentration is itself diagnostic:

- Romans (57.3%) — the highest concentration in the corpus, reflecting the density of Abraham-covenant, Israel-theology, law-positive, and submis-

- sion-to-authority material that the institutional programme needed to embed in the most theologically authoritative letter. The Romans 9 patriarchal-election material (9:4-31) is excised, with the 9:1-3 lament unit retained as ATT-bridge per BeDuhn (First NT p.249, p.302) and Käsemann's aporia analysis (Romans p.258) — Paul's grief over his "kinsmen according to the flesh" picks up only with 10:1. Romans 16 carries the chapter's well-known closing-section instability — 16:24 (a dittographic duplicate of the grace at 16:20b, absent from P46, $\aleph$, B, and Origen) and 16:25-27 (the floating doxology) are both excluded; 16:1-23 is retained but is widely treated in critical scholarship as a separate letter of recommendation (T.W. Manson 1948 onward) and is in any case the most documented case of amanuensis presence in the corpus (16:22, Tertius). The full chapter 15 is also REM-excluded in the present analysis (BeDuhn First NT p.213: "Romans 15, known to have been absent from the Apostolikon's text of Romans"; Origen Comm. Rom. 10.43.2: Marcion's Romans had only fourteen chapters; Tert. Marc. 5.13-14 never engages chapter-15 material) — the previous retention of Romans 15 with `final_confidence_pct=0` and `marcion_attestation=uncertain` was a structural inconsistency that the present revision resolves by aligning the adjudication with the project's own attestation-driven methodology. See Note on Romans 16 and the limits of 'pure Pauline' framing in this appendix.
- 2 Thessalonians (61.7%) — the election-theology insertion at 2:13-14 ("firstfruits / chosen from the beginning") together with the wrath-and-perdition expansion in 2:2, 2:5-8, 2:10-12. The apocalyptic core (2:1, 2:3, 2:4, 2:9) is retained as ATT in the present revision, restored from the prior "block-excluded 2:1-12" reading on direct Marcionite attestation (Tert. Marc. 5.16.4-6; BeDuhn First NT p.308).
 - Ephesians (12.9%) — concentrated in the household-code material (5:22-33, 6:1, 6:3-9), with 6:2 (the Decalogue verse on honouring father and mother) reclassified REM (second-pass block rule: embedded within the Haustafel unit, Marcionite attestation of 6:2a documented in note). Form-critical match with the Greco-Roman Haustafel genre absent from the undisputed letters; theological contradiction with Galatians 3:28; alignment with Walker (Interpolations in the Pauline Letters, 2001) and Lincoln (Word Biblical Commentary: Ephesians).
 - Galatians (11.4%) — concentrated almost entirely in the Galatians 3 paidagogos-related material, where the editing softens Paul's most direct attack on the Hebrew legal architecture. (4:4 is retained as ATT with a partial-excision applied to "born to a woman, born under the law" per Tert. Marc. 5.4.2-3 and BeDuhn p.267.)
 - Colossians (28.4%) — concentrated in the household-code material (slaves obey masters, wives submit to husbands).

- Letters with under 5% exclusion (Philippians 0.0%, Philemon 0.0%, 2 Corinthians 2.3%, 1 Thessalonians 3.4%, 1 Corinthians 4.1%) — the ones the institutional programme had less to gain from rewriting, because they did not carry the same load-bearing political-theological functions.

The pattern is precisely what an ideological editorial programme would produce: high-density intervention in the letters and chapters whose authority the institution most needed for its own self-legitimation; low-density intervention elsewhere. Random scribal corruption produces the opposite pattern — even, low-level distribution across the whole corpus. The Hidden Father data shows the first pattern, not the second.

A note on the visible chasms in Romans 9–11 and 14:23 → 16:1 (reading the reconstruction)

A careful reader of Companion B's Romans 9–11 will see what looks like rough or even thematically jarring transitions. The reconstructed text reads: [9:3] ...my relatives according to the flesh, → [10:1] Brothers, my heart's desire and my prayer to God is for Israel, that they may be saved... [10:4] ... Christ is the fulfillment of the law for righteousness to everyone who believes. → [11:33] Oh the depth of the riches... [11:35] ...it will be repaid to him again. → [12:1] Therefore I urge you, brothers, by the mercies of God... ...and at the close of the letter: [14:23] ...whatever is not of faith is sin. → [16:1] I commend to you Phoebe, our sister, who is a servant of the assembly that is at Cenchreae...

These are not flow problems. They are the patristic-attested editorial cuts, visible as cuts in the text. Tertullian himself preserves them as cuts: he writes in Adv. Marc. 5.14.6, just before quoting Rom 10:2 in Marcion's text, "I have here a very wide gulf of expunged Scripture to leap across" (*salio et hic amplissimum abruptum intercisae scripturae*). Each visible chasm in the reconstruction corresponds to a place where the patristic record (Tertullian, Epiphanius, Adamantius, BeDuhn's apparatus, Harnack's reconstruction) attests an absence: To the three Romans 9-11 chasms the present revision adds a fourth in the closing material: 14:23 → 16:1, where the entirety of chapter 15 — known to have been absent from Marcion's *Apostolikon* — is classified REM.

Chasm location / Excised material	Patristic basis
9:4 ↔ 10:1 The patriarchal-election block (Israel's covenants, Sarah/Isaac, Jacob/Esau)	Tert. Marc. 5.14.6 (<i>amplissimum abruptum</i>); BeDuhn p.302; Harnack Marcion p.38

10:4 ↔ 11:33 The Israel-misled-but-restored argument (10:5-11:32)	BeDuhn p.299; Harnack p.38 (“the long section 10:5-11:32, intolerable for the good God”)
11:35 ↔ 12:1 The closing doxology + opening exhortation transition (11:36-12:8)	BeDuhn p.302: “Rom 11.36–12.8 is unattested”
14:23 ↔ 16:1 The whole of Romans 15 (parenetic adiapthora, the “priest to the Gentiles” self-description, the Jerusalem collection narrative, the Spain itinerary, the closing benediction)	BeDuhn p.213 (“Romans 15, known to have been absent from the Apostolikon’s text of Romans”); Origen Comm. Rom. 10.43.2 (Marcion’s 14-chapter Romans); Tert. Marc. 5.13-14 (no engagement with Rom 15 material)

The retained verses on either side of these chasms (9:1-3; 10:1-4; 11:33-35) are also attested in Marcion’s text — and read theologically against the excised material. 10:2-4 attacks Israel’s misdirected zeal and announces *telos nomou* — Marcion’s flagship anti-Old-Testament proof-text per Walter Bauer (Orthodoxy and Heresy p.225). 11:33 supplies the opening words of Marcion’s own treatise the *Antitheses* (BeDuhn p.299; Harnack p.80). Tertulian explicitly mocks Marcion at Marc. 5.14.10 for retaining the Isaiah-quoting 11:34-35: “When you took away so much from the scriptures, why did you retain this, as though this too were not the creator’s?” — making these among the most patristically certain verses in the entire reconstruction. In other words, the rough transitions in Romans 9–11 are not noise to smooth out but the fingerprint of the editorial archaeology. They are where the patristic record visibly preserves the cuts. A reader whose eye reads OT vocabulary as warrant for further excision should sit a moment with the question of why Marcion himself — the most aggressive ancient excisor of OT-coloured material in the Pauline corpus — retained precisely these verses.

A note on Romans 16 and the limits of “pure Pauline” framing

The methodology of this project — and the rhetoric of any reconstruction project — runs the risk of suggesting that there is a pure original Paul under the editorial overlay, waiting to be recovered intact. Romans 16 is the chapter that most clearly resists that framing, and in doing so makes the methodology more honest, not less. Three things are visible in Romans 16 once the manuscript and patristic record is laid out side by side:

(1) The closing-section instability. Romans does not have a stable ending. The doxology (16:25-27) appears in three different positions across the manuscript tradition: after 14:23, after 15:33, and at 16:25-27. P46 — the earliest surviving substantial Pauline manuscript (200 CE) — places it after 15:33 and presents what is effectively a 15-chapter Romans. Marcion's text was a 14-chapter Romans (Origen *Comm. Rom.* 10.43.2: "Marcion ... entirely removed [chs. 15–16]"). The grace-doublet at 16:24 is absent from P46, Vaticanus, Sinaiticus (per NA28), and Origen's commentary alike — a ditto-graphic duplicate of 16:20b inserted into Western/Byzantine copies before the doxology was appended. This is the single most fluid stretch of text in the entire Pauline corpus. The exclusion of 16:24 and 16:25-27 in this project's reconstruction is not a strong claim; it is the modest position required by the witnesses.

(2) Origen has no Roman tradition for any of the people named. This is the most striking pattern in Origen's lengthy commentary on Romans 16. He works through the greeting list one name at a time, offering allegorical or moral readings ("Phoebe means 'sun-bearer'... Andronicus is interpreted 'man of victory' ...") because he has no historical or institutional tradition to cite. For an author writing in Caesarea around 245 CE — within reach of Roman archives, Roman bishops, and the institutional memory of the Roman house-churches — this is extraordinary. By Origen's date, anyone genuinely greeted by Paul in Rome in the late 50s would be at most three or four generations removed; one would expect the Roman bishopric to have preserved some tradition about Andronicus and Junia, Prisca and Aquila, Phoebe of Cenchreae, the household of Aristobulus. Origen has none. The absence of received tradition is consistent with the long-standing critical hypothesis (T.W. Manson, "St Paul's Letter to the Romans — and Others" *BJRL* 31 [1948]) that Romans 16:1-23 was originally a letter of recommendation written for Phoebe to carry to Ephesus, where Aquila and Prisca demonstrably lived (1 Cor 16:19, written from Ephesus) and where Paul had spent three years (Acts 19) and had genuine personal relationships of the kind the chapter assumes. On this hypothesis, the greeting list was attached to the body of Romans by a later editorial hand — not as a falsification, but as a curatorial convenience when the Pauline letters were assembled into a corpus.

(3) The amanuensis is part of the original constitution of the document — Romans 16:22. The verse reads:

I greet you, I Tertius, the one who wrote the letter, in the Lord. (Rom 16:22)
The verb (ἀσπάζομαι) is first-person singular and belongs to a different speaker than the surrounding verses. 16:21 and 16:23 are Paul's voice ("Timothy my fellow worker greets you..."; "Gaius my host greets you..."). 16:22 alone is Tertius's voice — the only verse in the entire New Testament where the amanuensis speaks in his own name. It is textually stable: P46 (200 CE)

reads ἀσπαζομ[αι] ἐγὼ ὁ τρίτος ὁ γραψας τὴν [ἐπιστολὴν] ἐν κω; Vaticanus reads the same with minor expansions. There is no manuscript variant on which Tertius's self-identification can be called a later interpolation. Origen recognised the awkwardness and wrote a defensive paragraph (Comm. Rom. 10.40.1) anticipating the obvious objection — that a scribe inserting his own name into an apostolic letter was presumption, temeritas aut iactantia. He constructed a theological justification ("written in the Lord") to make the act admissible. Origen's defence is itself the data point: the awkwardness was felt across the early tradition, not just by modern readers.

Three things follow from this

First, the boundary between "apostolic word" and "scribal word" was never absolute, even at the original moment of composition. Paul used amanuenses for other letters too — 1 Cor 16:21, Gal 6:11, Col 4:18, 2 Thess 3:17, Phlm 19 all imply Paul signed in his own hand only at the close — but Romans is the only letter where the scribe identifies himself by name and inserts his own greeting into the text. Whether Tertius was unusually privileged, or composed parts of the greeting list (16:1-23) himself from oral instructions given by Paul, cannot be settled from the text alone. Either reading reinforces the same point: the Pauline letters are constitutionally collaborative artefacts. They contain first-person material from a hand other than Paul's by Paul's own arrangement.

Second, this does not undermine the chain-of-fraud argument; it sharpens it. What is excluded from Companion B's reconstruction as REM is not "non-Pauline material" in the broad sense (which would have to include Tertius's greeting and the household-greetings 16:1-23) but material added against Paul's intent for institutional purposes Paul did not authorise. The distinguishing question is not "did Paul personally dictate every word?" but "did the inserted material change what Paul meant to say?" The Tertius greeting does not change anything Paul means to say. The Pastorals do. Romans 13:1-7 does. The household codes do. 1 Thess 2:14-16 does. The methodology survives the constitutional-collaboration recognition — it just operates on a more accurate description of what the original document was.

Third, the project's own framing should be heard with this caveat. Companion B is properly titled *The Reconstructed Pauline Letters*, not *The Original Pauline Text*. There is no original-original to recover. There is the working document Paul and his collaborators produced — partly Pauline dictation, partly amanuensis composition under Pauline direction, partly community greeting list — and there is the long editorial overlay that proto-orthodox

Christianity laid on top of it for institutional purposes. Companion B strips the second. It does not pretend to reach beneath the first.

A note on the limits of the Marcion anchor (the pre-Marcion editorial layer)

The reconstruction is anchored in Marcion's Apostolikon — the earliest substantively recoverable text-form of the Pauline letters, datable to roughly 140 CE. That anchor is the strongest single witness available, and it does the heavy lifting of the project. It also has a limit which is worth naming explicitly, because honesty about it makes the project's positive claims more reliable, not less.

Marcion's text-form is the earliest recoverable text, not the earliest text. The undisputed Pauline letters were composed in the late 50s of the first century. Marcion's collected edition was published in approximately 144 CE. That is roughly 85 years of transmission — copying, dictation, collection into a corpus, possible editorial harmonisation across letters, possible insertion of glosses that later hardened into text — between Paul's hand and the form Marcion received. BeDuhn (*The First New Testament*, pp. 88-94) is explicit on this point: the Apostolikon is the earliest reconstructible text-form, but it is not the autograph.

This has two consequences for the project's methodology that are already implicit in the verse-level adjudications and worth surfacing here.

First, Marcion-presence is necessary but not sufficient evidence of Pauline originality. A passage attested in Marcion's text was present in the Pauline corpus by 140 CE; it was not necessarily there in the late 50s. The catholic stream of transmission was already at work in the early second century — Pliny is corresponding with Trajan about Christian assemblies in Bithynia in 112 CE; the Pastoral Epistles are in circulation by mid-century; 1 Clement (95-96 CE) is already quoting and developing Pauline material institutionally. Some interpolations may have entered the textual stream early enough to appear in both the catholic and the Marcionite branches. This is the most plausible explanation for the small number of catholic-coloured residues in Marcion's text that are otherwise theologically embarrassing for him — for example, the embedded Decalogue citation at Romans 13:9-10 (which Marcion's text retained, presumably because removal would have destroyed the love-ethic flow of 13:8-10), the law-affirming aside at Romans 7:12 ("the law is holy and the commandment holy and just and good" — Tertullian highlights its presence at Marc. 5.13.14), and the paidagogos construction at Galatians 3:24. The project handles this category through the partial-excision mechanism (e.g., Galatians 4:4) rather than wholesale REM, which is

the methodologically correct response: surgical excision of the embedded clause where the surrounding fabric is solid.

Second, Marcion-absence remains the strongest single positive evidence for excision. The asymmetry matters. If Marcion's text lacks a passage that the catholic text has — and especially if Tertullian or another anti-Marcionite source is silent at exactly the place where a polemically useful verse would have appeared — that is decisive evidence that the verse entered the catholic transmission stream after the two branches diverged. Romans 13:1-7 is the cleanest example: Tertullian's silence at Marc. 5.14.11-13 is argumentative silence, because if the verses had been in Marcion's text, they would have been Tertullian's most powerful proof that Marcion's apostle affirmed the Creator-God's political authority. The silence is the proof.

The combined picture: the Marcion anchor delivers a high-confidence verdict on what is post-140 CE catholic editorial work, and a moderate-confidence verdict on what is pre-Pauline, with the pre-140 CE layer being an inferential best-effort. This is not a defect in the methodology; it is the methodology operating within its actual evidentiary horizon. The verses excluded in Companion B are excluded because of catholic-stream additions visible by Marcion's silence; the verses retained are retained because Marcion's text-form preserves them. The remaining question — what within Marcion's text is itself the result of earlier (50-140 CE) editorial activity — is a secondary analytical layer that the project takes up case by case (the partial-excision mechanism, the law-positive embedding flags) rather than collapsing into the primary adjudication. Future research may sharpen the resolution of that secondary layer; the present reconstruction is the best account that the available evidence permits.

A short list of candidate "law-positive embeddings" — passages present in Marcion's text-form but bearing the marks of pre-Marcion catholicising work — is logged in the project's adjudication notes for future deep-dive treatment. They include Romans 7:7, Romans 7:12, Romans 13:9-10 (the Decalogue citation embedded in the love-ethic), and Galatians 3:24 (paidagogos). None of these are excluded in the present reconstruction. Each one is held under the partial-excision discipline, awaiting either further patristic data or further structural analysis before any verdict is rendered.

Appendix C: The Colonial-Political Proof-Text Bundle

The chain Volume 3 traces — from the editing of the Pauline letters through to the Doctrine of Discovery and the colonial frameworks it underwrote — turns on a small bundle of specific passages. The institution did not need many. It needed these. The table below puts the bundle in one place, with the institutional use, the textual status from the Hidden Father adjudication corpus, the manuscript-critical issue, and the source-volume cross-reference. Every entry is independently verifiable through the resources listed in Appendix E.

Passage	Institutional use	Manuscript-critical issue
Romans 13:1-7 REM (CONFIRMED, 98%) in all seven verses Vol 2 Ch 2; Vol 2 Ch 6; Companion A (per-verse adjudication)	“There is no authority except from God” — universal scriptural warrant for submission to the state, secular-sovereign authority, colonial citizen compliance, taxation as Christian duty	Stylistic break from surrounding chapters; theological discontinuity with Romans 12 (overcoming evil with good) and Romans 13:8 (owe no one anything except love); first cited only in the late second century; sits in the densest editing zone in the corpus
1 Corinthians 14:34-35 REM (14:34 PROBABLE 70%; 14:35 CONFIRMED 92%) Vol 2 Ch 2; Companion A (per-verse adjudication)	Women’s silence in the church — gendered hierarchy in worship, exclusion from teaching and ordained ministry, theological underwriting of patriarchal church polity	Verses float — appear after v. 33 in some manuscripts and after v. 40 in the Western tradition; Vaticanus distigmai marking shorter text; Sinaiticus corrector overwrites; direct contradiction with Paul’s instruction at 1 Cor 11:5 (women praying and prophesying)
1 Thessalonians 2:14-16 REM (CONFIRMED, 99%) in	Among the seed texts of Christian theological antisemitism; load-bearing apos-	Internal anachronism (past-tense “wrath has come upon them at last” presupposes 70

all three verses Companion A (per-verse adjudication)	tolic warrant within the architecture that ultimately fed the <i>limpieza de sangre</i> statutes operating in the court that authorised <i>Inter Caetera</i> (1493). On the historical chain see Nirenberg (2013); Yerushalmi (1971); Martínez (2008)	CE Temple destruction, post-Pauline); theological discontinuity with Romans 9–11; Walker (2001), Ehrman (2011), Pearson (1971), Schmidt (1983) all flag as interpolation; Marcionite witness attests only 2:14-15a
Pastoral Epistles (1 Tim, 2 Tim, Titus) — esp. 1 Tim 2:11-12; 1 Tim 3:1-13; Titus 1:5-9 Excluded in toto from the authentic corpus Vol 2 Ch 2; Companion A (per-verse adjudication)	Bishop / elder / deacon hierarchy as divinely instituted church government; women's silence and prohibition on teaching; institutional governance as apostolic command	Absent from Papyrus 46 (c. 175–225 CE); 306 vocabulary items not found elsewhere in Paul; “godliness” (εὐσέβεια) used 15 times, never in undisputed Paul; “sound doctrine” (ὁγιαίνουσα διδασκαλία) — second-century medical metaphor; Ehrman: “critical scholars are virtually unified” on inauthenticity
Ephesians 5:22-6:9 / Colossians 3:18-4:1 — household codes (“slaves obey your masters”; “wives submit to your husbands”) REM (CONFIRMED) Ephesians 5:22-33, 6:1, 6:3-9 (12.9% of letter); 6:2 (Decalogue) REM (Haustafel block, second-pass rule). Colossians 3:18-4:1 sits within a broader excluded concentration in Colossians (28.4% overall). Vol 2 Ch 2; Companion A (per-verse adjudication)	Underwriter of antebellum slave-holder theology, transatlantic slave system, colonial labour regimes, gendered household authority	Form-critical match with the Greco-Roman Haustafel genre absent from the undisputed letters; theological contradiction with Galatians 3:28; Ephesians is widely held to be deutero-Pauline by critical scholarship; alignment with Walker (Interpolations in the Pauline Letters, 2001), Lincoln (WBC: Ephesians), Best (Ephesians, ICC)
Matthew 16:18-19 — the Petrine commission (“on this rock I will build my church... whatever you bind on earth shall be bound in heaven”) Absent from Mark and Luke — the parallel pericope is present in both but contains no Petrine commission; second-century church-organisational vocabulary; compet-	Foundation of the Roman papal claim to apostolic succession from Peter; constitutional basis of the papal authority that issued <i>Dum Diversas</i> (1452), <i>Romanus Pontifex</i> (1455), <i>Inter Caetera</i> (1493), and <i>Laudabiliter</i> (c. 1155)	Hidden Father gospel-interpolation analysis

ing tradition in John
20:22-23 distributes the keys
to all disciples

**1 John 5:7-8 — the
Comma Johanneum
("the Father, the Word,
and the Holy Ghost:
and these three are
one")**

Demonstrably interpolated;
absent from all Greek manu-
scripts before the fourteenth
century
Companion A (per-verse ad-
judication)

The clearest Trinitarian proof-
text in the New Testament; in-
stitutional warrant for Trini-
tarian doctrine in the form
that became orthodoxy

First appears as a marginal
note in a fourth-century Latin
manuscript; enters the Vul-
gate via the sixth century;
reaches the Greek text only
via fourteenth-fifteenth-cen-
tury back-translation from
Latin; Erasmus excluded it
and was coerced to add it un-
der threat

The architecture of office-oaths and the Pauline material it
contradicts

The Pauline and gospel passages above gave the institution its scriptural warrant. The chain Volume 3 traces does not, however, end at scripture. It ends at the people who personally commit, by sworn oath, to maintain and where necessary enforce the resulting sovereign claim. That commitment is itself constructed through a load-bearing architecture of institutional documents, every layer of which stands in direct contradiction to retained, undisputed Pauline material — preserved as ATT (recoverable Paul) in the Hidden Father verse-level adjudication and present in every manuscript witness — in which the apostle whose authority the institution most invokes identifies binding personal subjection to human masters as the bondage from which the gospel sets the believer free.

The contradiction is summarised in the table below. A fuller treatment is in Chapter 21.

Layer	Document	Status
Foundation Monarch's accession oath to govern according to "the statutes in Parliament agreed on, and the laws and customs of the same"; to maintain the Laws of God and the true Profession of the Gospel; to maintain the Settlement of the Church of	Coronation Oath Act 1688 (UK), still in force	Authentic, in force; Charles III sworn 6 May 2023

Layer	Document	Status
England 1 Cor 7:23; Gal 5:1; Gal 4:8-11		
Executive Sworn by every senior minister and Lord Chief Justice 1 Cor 7:23; Gal 5:1; Rom 14:4	Privy Council Oath	Authentic, in force
Legislature Required of every MP / Senator before taking seat; refusal disqualifies 1 Cor 7:23; Gal 5:1; 1 Cor 3:21-23	Parliamentary Oath of Allegiance — UK; AU Constitution s 42 + Schedule; Canadian and NZ equivalents	Authentic, in force
Judiciary Required of every judge / magistrate / tribunal member on appointment 1 Cor 7:23; Rom 14:4; Gal 1:10	Judicial Oath; US 28 U.S.C. § 453	Authentic, in force
Police Required for all powers of arrest, search, and use of force to attach to the person 1 Cor 7:23; Gal 5:1; Rom 13:8 (the verse immediately after the inserted 13:1-7)	Constable's Attestation (UK Police Reform Act 2002 s 83 + Sch 4); AU state and federal equivalents	Authentic, in force
Public service Required for every public servant on commencement 1 Cor 7:23; Gal 1:10; 1 Cor 3:21-23	UK Civil Service oath; AU Public Service Act 1999 s 22; US 5 U.S.C. § 3331	Authentic, in force
Citizenship Required as the legal moment of becoming a citizen 1 Cor 7:23; Gal 5:1; Gal 4:8-11	UK / CAN / NZ oaths to the monarch; AU pledge (1994); US oath of naturalisation (8 U.S.C. § 1448)	Authentic, in force
Bar Required for admission to practice 1 Cor 7:23; Gal 1:10; Rom 14:4	Barrister / solicitor admission oath, every common-law jurisdiction	Authentic, in force
Military (load-bearing extreme)	AU Defence Act 1903 Sch 1; UK Armed Forces Act 2006;	Authentic, in force

Layer	Document	Status
Personal commitment by every uniformed member to underwrite, with force including lethal force, the sovereign claim — to the King “according to law” in Westminster realms; to “the Constitution... against all enemies, foreign and domestic” in the United States 1 Cor 7:23; Gal 5:1; Rom 13:8 (immediately after the inserted Rom 13:1-7); Gal 5:14	Canadian National Defence Act; NZ Defence Act 1990; US 10 U.S.C. § 502	

The retained Pauline architecture that contradicts every layer above.

“You were bought with a price. Don’t become bondservants of men.” — 1 Corinthians 7:23 — *μὴ γίνεσθε δοῦλοι ἀνθρώπων*

“Stand firm therefore in the liberty by which Christ has made us free, and don’t be entangled again with a yoke of bondage.” — Galatians 5:1

“However at that time, not knowing God, you were in bondage to those who by nature are not gods. But now that you have come to know God... why do you turn back again to the weak and miserable elemental principles, to which you desire to be in bondage all over again?” — Galatians 4:8-9

“Let no one boast in men. For all things are yours, whether Paul, or Apollos, or Cephas, or the world, or life, or death, or things present, or things to come. All are yours, and you are Christ’s, and Christ is God’s.” — 1 Corinthians 3:21-23

“Who are you who judge another’s servant? To his own lord he stands or falls.” — Romans 14:4

“Or am I striving to please men? For if I were still pleasing men, I wouldn’t be a servant of Christ.” — Galatians 1:10

“Owe no one anything, except to love one another; for he who loves his neighbor has fulfilled the law.” — Romans 13:8 (the verse the editor placed immediately after inserting 13:1-7, which 13:8 dissolves)

“For the whole law is fulfilled in one word, in this: ‘You shall love your neighbor as yourself.’” — Galatians 5:14

All eight passages are ATT (recoverable Paul) in the Hidden Father verse-level adjudication, present in every manuscript witness, in undisputed letters of the seven-letter authentic Pauline corpus. The institution did not need to alter the text to evade what the text says. It simply built an architecture of sworn personal subjection to human masters at every layer of authority and operated as if the architecture-critique were not there.

A complication noted in Chapter 21 should be repeated here: Paul himself uses oath-like language in his letters (Rom 1:9; 9:1; 2 Cor 1:23; 11:31; Gal 1:20; Phil 1:8; 1 Thess 2:5 — “God is my witness”-type formulations). The Pauline material is therefore not a witness for an absolutist no-verbal-oaths position. What Paul opposes is not the verbal form of swearing one’s truthfulness; it is the institutional architecture of binding personal subjection to a human sovereign — δοῦλοι ἀνθρώπων, the yoke of bondage, the elemental principles. These are different speech-acts. The office-oaths catalogued above are instances of the latter, not the former.

The historical refusal of the Anabaptists (Schleitheim Confession 1527, art. VII) and the Quakers (from George Fox in the 1650s onward) shows that the contradiction has been visible to Christians who actually attended to the canonical text for at least five centuries — though they argued from the narrower Sermon-on-the-Mount grounds rather than the broader Pauline architectural ones the present project relies on. The English Quaker Act 1662 criminalised the refusal; the Affirmation Act 1696 and its successors (Oaths Act 1888 in the UK; Evidence Act 1995 (Cth) s 22 in Australia) accommodated the form of the objection without addressing its substance. The right to affirm rather than swear still requires binding personal subjection to a sovereign claim in the same form — only the verbal invocation of God is removed. The Pauline architectural objection is unaffected by the form-accommodation.

Pauline passage	Adjudication status / Source-volume reference
1 Cor 7:23 — don’t become bondservants of men	ATT (recoverable Paul); undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
Gal 5:1 — yoke of bondage	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
Gal 4:8-11 — elemental principles, returning to bondage	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
1 Cor 3:21-23 — inversion of human-authority hierarchy	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix

Rom 14:4 — direct accountability to the Lord, not human judges	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
Gal 1:10 — pleasing men vs. serving Christ as alternatives	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
Rom 13:8 — owe no one anything except love	ATT; undisputed Pauline letter; present in every manuscript witness; the verse the editor placed immediately after the inserted REM 13:1-7 Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix
Gal 5:14 — the whole law fulfilled in one relational obligation	ATT; undisputed Pauline letter; present in every manuscript witness Chapter 21; Vol 2 Ch 2; Companion A (per-verse adjudication); this Appendix

What the bundle shows

Every load-bearing claim of the institutional architecture that authorised the Doctrine of Discovery rests, at its scriptural foundation, on a passage that is either (a) flagged in the Hidden Father adjudication corpus as a confirmed or probable interpolation, (b) carried in a letter that the standard critical consensus regards as pseudonymous, or (c) demonstrably absent from the earliest manuscript tradition.

This is not a gap in the foundation. It is the foundation. The institution did not derive its claim from authentic Pauline material and then let editorial drift accumulate around it. The institution wrote the foundation. The textual evidence preserved in the manuscripts is what survives of the foundation-writing process.

This appendix is the receipts. The chain Volume 3 traces does not depend on accepting a constructive theological reframing or a contested exegetical move. It depends on accepting the textual evidence about specific passages, every one of which can be checked independently using the resources in Appendix E.

Appendix D: The Transaction and Grace Textual Spine

Volume 3 leans on a framework Volume 2 — How Paul’s Letters Were Edited established from the manuscript and patristic evidence: that transactional logic and grace run through the Pauline material — transactional logic (law, retribution, hierarchy, conditional relationship, covenant boundary) and grace (non-transactional, unconditional, preceding repentance, indifferent to covenant standing). The framework is the spine of the architectural reading this volume deploys.

A reader who has only Volume 3 has been asked to take that framework on trust. This appendix puts the specific verses on the table and points back to Volume 1 — The Argument in Brief, Volume 2 — How Paul’s Letters Were Edited, and Companion A — The Verse-by-Verse Analysis for the underlying forensic case.

The grace-principle spine — passages Volume 2 reads as carrying the architecture

Passage	Carrying motion / Adjudication status
Galatians 2:14, 16 — the Antioch confrontation; “knowing that a man is not justified by works of the law but through faith in Jesus Christ”	The two architectures in direct collision; Paul opposes Peter’s reimposition of the transactional frame on the Gentile table ATT (retained); Vol 2 names this “transaction and grace in direct collision”
Galatians 3:28 — “there is neither Jew nor Greek, neither slave nor free, neither male nor female, for you are all one in Christ Jesus”	The architectural claim that the ritual markers do not constitute the community ATT (retained)
Galatians 3:23-25 — “we were kept in custody under the law... the law has become our paidagogos... but now that faith has	The transactional architecture as a temporary intervention now ended REM (excluded); Galatians 3:23–25 is absent from

come we are no longer under a paidagogos”	Marcion’s Apostolikon and removed on convergent evidence — see Vol 2 Ch 7 (Galatians)
Romans 4:1-25 — Abraham justified by faith before the law and before circumcision	Grace grounded in covenant history; relationship preceding legal mediation REM (excluded); Romans 4:1-25 is absent from Marcion’s Apostolikon and removed on convergent evidence — see Vol 2 Ch 6 (Romans)
Romans 5:6-11 — “while we were yet sinners, Christ died for us”	Restoration before the accounting is complete; the unconditioned-reach motion of the Luke 6:35 saying stated in Pauline compression ATT (retained)
Romans 5:12-21 — Adam and Christ; “grace exceeds transgression”	Asymmetric balance: the grace architecture is not the mirror image of the transactional one but categorically different in scale and kind ATT (retained)
Romans 6:14 → 8:1-2 — “you are not under law but under grace... there is therefore now no condemnation”	The continuous-tense salvation Volume 2 invokes; freedom from the transactional grammar as present-tense reality ATT (retained); reads cleanly across the bridge once Romans 7’s interpolated material is removed
Romans 8:14-17 — Spirit adoption; “you have received a Spirit of adoption by which we cry, Abba, Father”	Direct relationship without institutional mediation; the hidden Father reaching the particular person ATT (retained); the structural centre of Romans on Vol 2’s reading
Romans 8:31-39 — “neither death nor life... will be able to separate us from the love of God”	The architecture is robust enough to survive any pressure the transactional architecture can apply ATT (retained)
Romans 13:8-10 — “owe no one anything except to love one another, for he who loves his neighbour has fulfilled the law”	The whole transactional architecture compressed into and dissolved by a single relational obligation ATT (retained); deliberately set immediately after the interpolated 13:1-7 to disambiguate Paul from the editor
1 Corinthians 13 — the love-as-architecture passage	The grace architecture stated as the criterion against which everything else is measured ATT (retained, with 13:1 restored after adjudication revision)
1 Corinthians 2:9-10 — “what eye has not seen... God revealed through the Spirit”	Revelation through direct relationship rather than institutional accreditation ATT (retained); echoes the Galatians 1 “neither from man nor through man” claim

2 Corinthians 5:17-19 — “if anyone is in Christ, new creation... God was in Christ reconciling the world to himself, not counting their trespasses against them”	The not-counting of trespasses is the unconditioned-reach motion stated in Pauline form; reconciliation precedes the accounting ATT (retained)
Philippians 2:5-11 — the kenosis hymn; “he emptied himself”	Grace as the architectural motion of God himself, not a divine concession to human weakness ATT (retained); often cited as pre-Pauline early Christian liturgical material, which strengthens rather than weakens its evidential weight
Philippians 3:7-9 — “I count everything as loss... not having a righteousness of my own that comes from the law”	Paul’s own transition out of the transactional architecture, narrated autobiographically ATT (retained)

The transactional-principle bundle attributed to Paul that the evidence will not sustain

Passage	Transactional move / Adjudication status
Romans 1:18-32 — wrath revealed against unrighteousness	God-as-punisher framing inserted at the head of the letter Multiple verses REM/SUS in this block
Romans 9–11 — Israel theology and election	Carries the most contested editing in the corpus; Vol 2 treats the case as the most contested of the three Romans interpolation candidates Substantial REM concentration (see Appendix B Romans 57.3%); the 9:1-3 lament fragment is retained as ATT-bridge with the chasm at 9:4↔10:1 per BeDuhn p.302 and Käsemann Romans p.258
Romans 13:1-7 — submit to governing authorities	State-submission theology; see Appendix C REM CONFIRMED 98%
1 Corinthians 11:3-16 — head coverings and gendered hierarchy in worship	Patriarchal church order; structurally adjacent to 14:34-35 SUS in current adjudication; flagged by Walker (2001)
1 Corinthians 14:34-35 — women’s silence	See Appendix C REM 70–92%
1 Thessalonians 2:14-16 — collective curse on the Jewish people	See Appendix C REM CONFIRMED 99%

2 Thessalonians 2:13-14 + 2:2, 2:5-8, 2:10-12 — election theology (“firstfruits / chosen from the beginning”) and collateral wrath/perdition expansion	Inserts Pauline election theology (cutting against the grace-priority architecture of Vol 2’s spine) and amplifies the day-of-the-Lord apocalyptic frame REM concentration 21.3%; the apocalyptic core (2:1, 2:3, 2:4, 2:9) is restored to ATT in the present revision on direct Marcionite attestation
Ephesians 5:22-6:9 — household codes (entire block, incl. 6:2)	Slaves obey masters; wives submit to husbands; see Appendix C REM CONFIRMED in 5:22-33, 6:1, 6:3-9; 6:2 (Decalogue) REM (second-pass block rule; Marcionite attestation documented in Companion A note)
Colossians 3:18-4:1 — household codes	Same architecture REM concentration in this section
1 Timothy, 2 Timothy, Titus — the Pastoral Epistles	Episcopal hierarchy, women’s silence, sound doctrine, institutional governance Excluded in toto on critical consensus

What the spine shows

When the two columns are placed side by side, the architectural distinction Volume 2 named is visible at the level of textual evidence, not theological speculation. The grace-principle spine consists almost entirely of retained (ATT) passages distributed across the seven authentic letters — that is, of material the manuscript witnesses, the patristic citation record, the stylistic profile, and the Marcionite witness all converge on as authentic. The transactional-principle bundle attributed to Paul consists almost entirely of passages adjudicated SUS or REM, or of letters that the standard critical consensus assigns to a later author.

Transactional logic and grace Volume 2 identified are not a theological reading imposed on the text. They are the textual residue once the institutional editing programme has been distinguished from what it edited.

Appendix E: Verifying the Textual Claims Yourself

The book's title is *By What Authority?*. The methodological corollary is that any textual claim made in this book should be independently verifiable. Every passage discussed in Chapters 5–7 and listed in Appendices C and D can be checked directly against the primary sources, most of which are now available through open digital resources. The list below is a starting point.

Primary manuscript portals

- NTVMR — New Testament Virtual Manuscript Room (Institut für Neutestamentliche Textforschung, Münster): ntvmr.uni-muenster.de — high-resolution images of most surviving Greek New Testament manuscripts, including Papyrus 46 (the earliest substantial Pauline witness), with TEI-XML transcriptions and apparatus links.
- CSNTM — Center for the Study of New Testament Manuscripts: csntm.org — open-access manuscript photography and transcription resources.
- Vatican Library Digital (DigiVatLib): digi.vatlib.it — Codex Vaticanus (B/03) viewable folio by folio, including the distigmai markings discussed in Volume 3 Chapter 7 in connection with 1 Corinthians 14:34-35.
- Codex Sinaiticus Project: codexsinaiticus.org — the entire fourth-century manuscript photographed, transcribed, and apparatus-linked, including all corrector hands.
- Bibliothèque nationale de France (Gallica): gallica.bnf.fr — Codex Ephraemi Rescriptus (C/04) and other key witnesses.

Critical editions and apparatus

- Tyndale House Greek New Testament (Cambridge, 2017): a freely available critical edition with apparatus prioritising the earliest manuscript witnesses.
- Nestle-Aland 28 / UBS 5: the standard critical Greek New Testament editions; the apparatus identifies the manuscript witnesses for every variant discussed in this book.
- Editio Critica Maior (ECM, INTF Münster): the most exhaustive ongoing critical edition, with full coherence-based genealogical method (CBGM) data.

Marcion's Apostolikon — reconstructions

- Dieter T. Roth, *The Text of Marcion's Gospel* (Leiden: Brill, 2015) — the most rigorous current reconstruction of Marcion's Evangelion, with apparatus.
- Jason BeDuhn, *The First New Testament: Marcion's Scriptural Canon* (Salem, OR: Polebridge, 2013) — accessible reconstruction with translation and commentary covering both the Gospel and the Apostolikon.
- Matthias Klinghardt, *Das älteste Evangelium und die Entstehung der kanonischen Evangelien* (Tübingen: Francke, 2015; English translation Brill, 2021) — the major continental reconstruction, with implications for the priority of Marcion's text.
- Adolf von Harnack, *Marcion: The Gospel of the Alien God* (1921; English Labyrinth, 1990) — the foundational modern reconstruction; cited throughout the Hidden Father adjudication notes.

Patristic citation databases

- Biblindex (CNRS, IRHT Lyon): biblindex.org — searchable index of biblical citations in the Church Fathers, allowing direct verification of which patristic writers cite which verses (or do not).
- Tertullian.org: open-access English translations of Tertullian's complete works, including *Adversus Marcionem* — the principal patristic source for Marcion's text.
- Roger Pearse's Early Church Fathers archive: tertullian.org/fathers — comprehensive open-access patristic library.

Stylometric and form-critical scholarship

- William O. Walker Jr., *Interpolations in the Pauline Letters* (Sheffield Academic Press, 2001) — the systematic stylometric analysis cited throughout Volume 3; identifies ten probable interpolations independently of the Marcionite witness data.
- Bart D. Ehrman, *Forged: Writing in the Name of God* (HarperOne, 2011) — accessible treatment of the pseudonymity of the Pastoral Epistles and other contested material.
- Birger A. Pearson, “1 Thessalonians 2:13-16: A Deutero-Pauline Interpolation,” *Harvard Theological Review* 64 (1971): 79-94 — the foundational case for the antisemitism interpolation discussed in Chapter 7 and Appendix C.
- Daryl D. Schmidt, “1 Thess 2:13-16: Linguistic Evidence for an Interpolation,” *Journal of Biblical Literature* 102 (1983): 269-279.

How to check a specific claim

For any passage discussed in Volume 3 — for example, Romans 13:1-7, 1 Corinthians 14:34-35, 1 Thessalonians 2:14-16, or the Comma Johanneum at 1 John 5:7-8:

1. Find the passage in NTVMR or the relevant manuscript portal for each of the major early witnesses (P46, $\aleph$, B, A, C, D where extant). Inspect the manuscript image directly.
2. Consult the apparatus of the Tyndale House GNT or NA28 to see the variant readings recorded across the manuscript tradition.
3. Search Biblindex for the patristic citation history — when the verse is first cited, by whom, and in what form.
4. Check the Marcion reconstructions (Roth, BeDuhn, Klinghardt, Harnack) to see whether the verse is attested in the Apostolikon.
5. Consult Walker (2001) for the stylometric and contextual analysis.

The point of listing this is not that any reader is expected to do all of it. The point is that the claims in this book stand on evidence that any reader could do all of it, and the institutional framework the book critiques does not. The asymmetry is the argument.

Pauline analysis package. The canonical dataset, scoring scripts, and an interactive analysis workbench are distributed as a single archive: `by-what-authority-pauline-analysis.zip`. The archive contains `rag_versions.json` (the 1,794-verse canonical dataset), the Python scoring toolchain in `regeneration/scripts/`, and a browser-based signal and confidence explorer in `workbench/`. Search for the filename to find the current download location. A `README.md` and

CALCULATIONS.md inside the archive explain each component and give step-by-step rebuild instructions.

Appendix F: Limits, Contested Points, and Counter-Cases

A project that traces a chain of this length and proposes a reading of this scope owes the reader an explicit account of where it does not claim certainty, where competent scholars hold opposing positions, and where its own framing reaches beyond what the evidence by itself forces. The list below is offered in that spirit. It is not a list of weaknesses; it is a list of places where the project's epistemic register matters. A reader can accept some links of the chain and reserve judgment on others; the integrity of the textual case does not depend on accepting every interpretive move the project layers on top of it.

What this book does not claim

- It does not claim that all institutional Christianity through history has been simply fraudulent, or that no Christian community has ever lived close to what the authentic Pauline material describes. The argument is about an architectural inversion at the institutional level, not a verdict on the lived faith of individuals or local communities.
- It does not claim that the historical legal traditions discussed in Part Three require Pauline framing to validate them. Each tradition has its own integrity, sources, and ground; their prior legal standing is treated as a historical and political fact, not as theological annexation.
- It does not claim that terra nullius, the Doctrine of Discovery, or the colonial frameworks they authorised can be undone by textual criticism alone. Treaty, reparation, restitution, and structural reform are political work that textual criticism cannot substitute for.
- It does not claim that the institutional editing of the Pauline letters was a single conspiratorial event with named conspirators. The argument is that the editing exhibits programmatic coherence over the late-second and third centuries — consistent ideological direction across multiple letters,

identical vocabulary clusters in the excluded material, and patristic silence at exactly the right places — which is consistent with a coordinated institutional process even where no single editor can be named.

- It does not claim that Marcion was simply right and the proto-orthodox simply wrong. Marcion's textual reconstruction is one important witness among several; his own theological synthesis (cosmological dualism, rejection of the Hebrew scriptures) is not the project's position. Volume 2 distinguishes the architectural observation Marcion saw clearly from the cosmological synthesis he built on top of it.

The principal contested moves and the strongest counter-cases

1. The “programme” framing of the editing. Mainstream scholarship more often treats the Pauline-corpus alterations as separate phenomena (genuine theological development, scribal corruption, pseudonymous expansion, ideological tendency, doxological accretion) that aggregate without central coordination. The project's case for coordination rests on (a) the consistent ideological direction of the alterations across multiple letters; (b) the vocabulary clustering in the excluded material; (c) the patristic silence pattern at exactly the relevant places; (d) the convergence of the Marcionite witness with stylometric and form-critical analysis; and (e) the independent canon-formation case for a deliberate second-century edition advanced by David Trobisch (*The First Edition of the New Testament*, OUP, 2000), which arrives from a different evidence base — uniform codex form, uniform nomina sacra, fixed manuscript order, uniform titles, and redactional framing material in Acts, 2 Timothy, 2 Peter, and John 21 — at the picture of a curated edition, not an accretion. The Trobisch case was made on canon-form evidence with no reference to verse-level interpolation analysis; the Hidden Father case was made on verse-level adjudication with no dependence on Trobisch's framing. The two converge. That convergence is not by itself proof of central coordination; what it does is raise the bar that a “convergent tendency without coordination” reading has to clear, because two independent lines of inquiry into the editorial layer of the New Testament arrive at the same picture from different evidence. The case is good but not unanswerable; a critical reader could still maintain that “convergent ideological tendency in a recognisable redactional layer” is sufficient and that “coordinated programme” overstates the unity of agency. The book's argument does not collapse if “programme” is downgraded to “convergent ideological ten-

dency”; the political consequences traced in Parts One, Three, and Five remain documented at the same level of evidence.

2. The Marcion-as-redactor counter-case. Tertullian’s position — that Marcion cut down a canonical Paul rather than preserving an earlier form — has been the institutional default since the late second century and continues to be defended by some modern scholars (notably Schmid, Lieu, and others who treat Marcion as redactor of an already-formed corpus). The project follows the more recent line of Roth, BeDuhn, Klinghardt, and others who treat at least parts of Marcion’s text as a witness to a pre-canonical or differently-edited form. This is a contested question and the project’s reading is not the only defensible one. The strongest version of the counter-case would argue that Marcion’s omissions are explained by his own theological programme (cutting Hebrew-Bible material) rather than by his preserving an earlier text; the project’s response is that Marcion’s omissions correlate strongly with passages independently flagged by stylometric and form-critical analysis as later additions, which is hard to explain if Marcion was simply cutting on theological grounds.
3. The Romans 9–11 adjudication. The 57.3% Romans exclusion rate reported in Appendix B is load-bearing for the corpus-wide “scale of programme” claim. Romans 9–11 is the largest single contributor to that figure, and Volume 2 itself acknowledges that the case for Romans 9–11 as interpolation is “the most contested” of the three Romans interpolation candidates. A critic who treats Romans 9–11 as authentic reduces the Romans exclusion rate from 57.3% to approximately 27%, and the corpus-wide exclusion rate from 20.7% to approximately 13%. The programme claim still holds at the lower scale, because the exclusion is still concentrated in ideologically load-bearing material rather than evenly distributed; but the rhetorical force of “half of Romans” weakens, and the project should be honest about that. A reader who is not persuaded on Romans 9–11 should subtract those chapters and observe that the rest of the case is unaffected. The C1 supplementary fix (Apr 2026) adjusts the Romans 9 boundary itself: 9:1-3 is now retained as ATT-bridge (the Pauline lament fragment), with the editorial chasm placed at 9:4↔10:1 per BeDuhn (First NT p.302) and Käsemann (Romans p.258).
4. The architectural reading of the transaction/grace contrast. Volume 2’s identification of transactional logic and grace in the Pauline material is one reading of the textual residue. Other readings exist and are well-supported in the scholarly literature: E. P. Sanders’s “covenantal nomism” (Paul as remaining within Second Temple Jewish covenantal framework, with Christ as the new entry-point but not the dissolution of the covenantal architecture); N. T. Wright’s covenant-continuity reading (Paul as completing rather than dissolving the Hebrew covenant); James

D. G. Dunn's New Perspective synthesis. The project's architectural reading is defended in Volume 2 against these alternatives but does not eliminate them. A reader who finds the New Perspective more compelling can accept the textual case (Parts Two and Four) and substitute their preferred architectural reading without disturbing the political-historical chain in Parts One, Three, and Five.

5. The Hidden Father / unknown Father identification. Volume 2's central theological move — identifying Paul's God as structurally distinct from the Hebrew Creator-God — is the most contested single move in the series. It is materially close to the Marcionite position, and Volume 2 acknowledges this and tries to distinguish "transactional logic and grace" from "two Gods." That distinction is real and important but subtle, and many readers will not see daylight between them. Mainstream Christian scholarship — Catholic, Orthodox, Reformed, Wesleyan, evangelical — will reject this identification regardless of the textual evidence, on doctrinal grounds. This is not a weakness in the textual case; it is a fact about which audiences the architectural reading can and cannot persuade. The textual case in Parts Two and Four does not require accepting the Hidden Father identification; it requires only accepting that the specific passages flagged in Appendices C and D are what the manuscript and patristic evidence indicates they are.
6. The constructive Chapter 24. The "operating system" sketch in Chapter 24 is constructive theological / sociological work; it is not a finding the textual evidence forces. It exists because the rest of the book would be incomplete without an answer to the obvious objection ("if not the institutional architecture, then what?"). The chapter is the most vulnerable part of the book to the criticism this is just speculation, and the response is honest: yes, it is constructive work; it is offered as a sketch; other constructive sketches are possible. The textual case does not depend on it.
7. The legal-foundational argument and its limits. Chapters 9, 10, 20, and 23 advance the strongest legal claim in the book: that the territorial sovereignty of nation-states whose foundation traces through the Doctrine of Discovery rests on a foundational fraud, and that the Mabo "not justiciable" admission is the system acknowledging the foundation cannot be examined. The argument is documented at every step. What it does not do is provide a justiciable cause of action or a workable remedy within existing legal systems; the very point of the Mabo admission is that those systems are designed to refuse the foundational question. The book's claim is therefore political-philosophical (the foundation is fraudulent and that fact has political consequences over time) rather than forensic (here is a case that will succeed in court next Tuesday). Treaty, structural reform,

and political renegotiation are the real responses; the book does not pretend otherwise.

8. The architecture-of-oaths chapter (Chapter 21) and its limits. The chapter on the architecture of oaths is the most rhetorically sensitive in the book and the project should be honest about what it does and does not establish. What it establishes — and what does not require any contested move: (a) that the operating chain of authority of every Westminster-realm polity (and, in close parallel, the United States) is held in place at every layer by sworn personal commitment, from the coronation oath downward to the soldier's enlistment; (b) that retained, undisputed Pauline material — preserved as ATT (recoverable Paul) in the Hidden Father verse-level adjudication, in undisputed letters, present in every manuscript witness (1 Cor 7:23; Gal 5:1; Gal 4:8-11; 1 Cor 3:21-23; Rom 14:4; Gal 1:10; 2 Cor 3:17; Rom 13:8; Gal 5:14; and 2 Cor 1:17-20's yes-yes / no-no model) — identifies binding personal subjection to human masters as the architecture of bondage from which the gospel sets the believer free, which is structurally what every layer of the office-oath architecture constitutes; (c) that this contradiction has been visible to Christians who actually attended to the canonical text since at least the Schleiertheim Confession of 1527 (though the Anabaptist and Quaker refusal argued from the narrower Sermon-on-the-Mount grounds rather than the broader Pauline architectural ones), and that the Quaker refusal from the 1650s onward has produced a 200-year statutory accommodation (Affirmation Acts) which addresses the verbal form of the older objection but not the architectural substance; (d) that the institution itself acknowledges (Nuremberg, Brereton) that office-oaths are not unconditional; and (e) that the historical pattern of where contested foundations actually shift is consistent at the layer of personal commitment. What the chapter does not establish, and is careful to disclaim: that any individual oath-taker is personally guilty of fraud or perjury (they are not); that anyone should refuse, breach, or withdraw from their oath (the chapter expressly does not call for this); that Paul prohibits verbal oath-language as such (he does not — Paul himself uses "God is my witness" formulations at Rom 1:9; 9:1; 2 Cor 1:23; 11:31; Gal 1:20; Phil 1:8; 1 Thess 2:5 — and the Pauline objection is to the architecture of binding personal subjection to a human sovereign, not to the verbal speech-act of swearing one's truthfulness); that the foundational illegitimacy of the chain reaches downward to make every order issued through it manifestly unlawful in the Nuremberg sense (it does not); that contemporary Western militaries, judiciaries, or civil services are morally equivalent to the historical regimes whose enforcement architectures are now retrospectively judged complicit (the situation is structurally different and the comparison is offered

for the load-bearing-point observation only). A note on the project's choice of scriptural ground: the Sermon-on-the-Mount oath material (Matthew 5:33-37) and James 5:12 do, on conventional historical-Jesus criteria (multiple attestation, dissimilarity, Aramaic substratum, James as the Lord's brother), have a plausible claim to be authentic Jesus tradition. The project does not ground Chapter 21's argument on them, however, both because the By What Authority series's primary textual work is on the Pauline corpus (where the project has confidence in its source-critical results) rather than on the Synoptic problem (where the project's source-critical apparatus is less developed), and because the Matthean redaction of Jesus tradition is, in other identifiable cases, problematic for the project's argument (e.g., the Petrine commission at Matt 16:18-19, treated in Chapter 5). Methodological consistency requires the architectural argument to be made on the Pauline material the project has actually adjudicated — which, fortunately, contains the architectural critique in even sharper form.

9. The two-step suppression hypothesis. This document argues that the Pauline interpolation programme required two operations, not one: the insertion of submission-endorsing passages, and the exclusion from canonical authority of the Second Temple texts (principally the Book of Enoch and the Book of Jubilees) that would have made the insertions visible as alien to Paul's cosmological framework. The authentic Paul in Galatians 4:3-11 argues from an Enochic background — cosmic evil mediated by angelic powers, Torah observance and pagan idolatry both forms of enslavement to those powers — that is coherent only if the reader has access to that framework. Once 1 Enoch was excluded from the Western canon (Augustine, 399 CE) that argument became opaque, and the interpolated pedagogical law sequence in Galatians 3:15-25 became the explanatory bridge. This two-step reading is supported by the convergence of the Marcionite absence data with the history of canon formation, but it is an interpretive layer built on the textual evidence rather than a finding the evidence directly forces. A reader who accepts the interpolation without accepting the two-step suppression hypothesis still has the same textual argument available. The hypothesis is offered as explanatory; it is not load-bearing.

Where the project knows the evidence is thinner than the framing implies

- The Petrine commission (Matthew 16:18-19). Chapter 5 now presents a four-line convergent case: form-critical vocabulary analysis (the *ekklēsia*-

building language and “gates of Hades” are institutional-survival concerns more consistent with a second-century than a first-century Galilean setting); the Greek Petros/petra pun has no Aramaic equivalent; the patristic-silence pattern (Justin Martyr, Irenaeus, Polycarp, the Didache, and Clement of Rome all fail to cite the passage as a Petrine-primacy text despite having every institutional reason to do so, with first clear institutional deployment not until Tertullian c.200 CE and Cyprian c.251 CE); and Walter Bauer’s historical conclusion that the Petrine primacy claim was structurally decided in the late second century and the text was then deployed to legitimate it, not the other way round. What the chapter does not have is a direct manuscript-side demonstration of the kind available for Romans 13:1-7 or 1 Corinthians 14:34-35 — the early Matthean papyrus fragments have not been subjected to the same systematic apparatus that the Pauline corpus now has. The case is strong convergent evidence rather than proof of the Pauline kind;

- The *Laudabiliter* authenticity question. This book adopts the mainstream scholarly position: Watt, Bartlett, and Duggan treat the substance of Adrian IV’s grant as historically operative regardless of the precise transmission of the 1155 wording, on the basis that Alexander III’s 1172 correspondence explicitly confirmed and extended what Adrian was understood to have granted. Chapter 14 is therefore not exposed by the minority transmission-doubt position. If Liebermann or Sheehy are right that the text as transmitted is a twelfth-century reworking rather than an authentic 1155 document, the chapter’s argument is strengthened: Henry II’s claim to Ireland was being authorised by a papally-framed instrument that was itself a fabrication, which is a sharper version of the same institutional pattern the book documents elsewhere. The question is resolved either way. Chapter 14 stands as written.
- The economic-accounting dimension. Chapter 10’s unjust-enrichment argument is framed at the level of principle rather than aggregate figures, and deliberately so. The principle — that distributions built on a void foundational warrant are uncompensated takings — is established by the chain itself. The current treatment names the consequence correctly: the scale is real and enormous. Quantifying that scale — current market value of pastoral holdings traceable to Crown grants, mining royalties, urban land in former custodial territories — would illustrate what follows from the principle, not prove the principle itself. It would also invite methodological dispute about the accounting that would draw attention away from the structural argument. The figures are an example of the principle’s consequence. The principle does not depend on them.
- The Torah / *nomos* / Septuagint argument. Chapters 16 and 18 advance the Torah/*nomos* distinction at a scope appropriate to what this series is

doing: Torah means instruction and relational guidance; nomos carries the Greek freight of codified command and hierarchical retribution; by the first century the Septuagint's rendering of Torah as nomos had filtered one through the other, and Paul's argument against nomos addresses that architecture, not the Hebrew tradition it overlays. This is the series' stated position and is sufficient for the argument it is making. The full scholarly case — Kugel on Second Temple interpretive tradition, Rajak on the Septuagint's cultural politics, Boyarin on Paul and Judaism, Thiessen on Paul and the Gentile problem — would require a monograph-level treatment of the Torah/nomos question on its own terms. This series does not attempt that monograph. Readers who want to pursue it have a trail from what is already here.

- The theological antisemitism thread. The connection between 1 Thessalonians 2:14–16 and the Christian theological-antisemitic tradition is argued on the basis of documented patristic reception — specifically John Chrysostom's *Adversus Judaeos* and the broader tradition documented in Nirenberg (2013) and Yerushalmi (1971). This is the treatment's secure ground. An earlier version of the text extended the argument to claim architectural co-presence between the passage and the *limpieza de sangre* statutes of fifteenth-century Castile. That extension has been removed: the citation-level demonstration required to sustain it is not present in the surviving record, and the argument does not need it. The patristic-reception case for the passage's role in producing the apostolic warrant for theological antisemitism stands independently.
- The coverage of the ATT pool. The verse-by-verse adjudication apparatus in Companion A has applied systematic signal analysis to every verse flagged REM or SUS. It has not applied that same depth of analysis to every verse marked ATT. Approximately 78 per cent of verses carrying ATT status have not been subjected to the same scrutiny as the flagged material. This is a real asymmetry: the project has been thorough at the boundaries and thinner in the interior.

The appropriate response to this is not a qualification but an invitation. The methodology is defined. The signal weights are published in Appendix M of Companion A. The signal criteria are explicit. The canonical dataset is public. Anyone who applies the same framework to the unexamined ATT pool and finds further interpolation candidates will produce one of two results. The first: additional candidates that move in the same ideological direction as everything already flagged — pro-institutional, anti-Marcionite, covenant-continuity, or submission-enforcing. If that happens, the directionality argument is stronger, not weaker: a one-way signature that holds across a larger sample is more significant, not less. The second: candidates that move in the opposite direction — authentic-looking material that was

suppressed for anti-institutional or grace-radical reasons. That would be genuinely important counter-evidence, and the project commits to engaging it.

Two examples of what targeted passes in the unexamined pool can find: Colossians 3:5's 'and covetousness, which is idolatry' is a relative-clause gloss appended to a complete vice list, matching Ephesians 5:5 verbatim and setting up the already-SUS wrath clause at 3:6. Colossians 3:9's 'you have put off the old man' shifts the authentic Pauline indicative of Romans 6:6 ('our old man was crucified with him' — a completed divine act) to an imperative-behavioral mode that grounds transformation in human ethical effort rather than the cross. Both were sitting in the unexamined ATT pool. Both were found by following the logic of what was already flagged around them. Both go in the same direction as everything else.

The floor of unanalyzed material is real. The project does not pretend otherwise. Keep digging.

What is not contested in critical scholarship

For balance, the following claims that the project relies on are not meaningfully contested in mainstream critical scholarship and a critical reader can take them as established:

- The Pastoral Epistles (1 Tim, 2 Tim, Titus) are pseudonymous (Ehrman: critical scholars are "virtually unified").
- 1 Corinthians 14:34-35 floats in the manuscript tradition between two positions, which is a near-certain marker of interpolation.
- The Comma Johanneum (1 John 5:7-8) is a Latin-tradition insertion absent from all Greek manuscripts before the fourteenth century.
- The Doctrine of Discovery papal bulls (Dum Diversas 1452, Romanus Pontifex 1455, Inter Caetera 1493) are authentic and their texts are as quoted.
- Cook's 1768 secret instructions, the Mabo judgment, the 2023 Vatican joint statement, and the other primary documents in Appendix A are authentic.
- Aboriginal continuous occupation of Australia for at least 65,000 years is established by Madjedbebe and other archaeological evidence.

The project's contested moves are interpretive, not evidentiary at the primary-source level. A reader who is sceptical of the architectural reading can still find every primary-source claim independently verifiable through the resources listed in Appendix E.

A note on Meads v. Meads and OPCA-style framings

This volume's argument is sometimes mistaken for the pseudo-legal doctrines catalogued in *Meads v. Meads*, 2012 ABQB 571 (Associate Chief Justice Rooke). It is not. Sovereign Citizen and OPCA-style claims typically deny that statutes apply, assert a "strawman" or "flesh-and-blood-versus-legal-person" theory, and refuse the jurisdiction of specific courts in private disputes. This volume makes none of those claims. It does not dispute that courts have jurisdiction; it asks what the ultimate foundation of that jurisdiction is.

The distinction matters structurally. *Meads* addresses vexatious pleadings in private matters — debt, family law, quasi-fiscal disputes. This volume addresses the foundational legitimacy of sovereign authority itself, using primary historical documents, and stops at the question rather than asserting a private remedy. Rooke ACJ's 188-page judgment disposes exhaustively of OPCA arguments; it does not engage the foundational question this volume raises, because that question was not before the court.

Two further distinctions matter for any reader assessing this volume against the *Meads* framework. First, *Meads* is concerned with vexatious pleadings — typically debt actions, family-law matters, or quasi-fiscal claims where the litigant uses pseudo-legal vocabulary to evade an obligation. This volume is not pleading anything in any forum. Second, the presence of bad-faith strategies in adjacent territory does not foreclose a good-faith inquiry into the underlying question. The fact that a class of pleadings has been judicially classified as abusive does not establish that the foundational question itself is unaskable; it establishes only that one specific way of pressing it in court has been so classified. The architecture-and-textual question this volume asks is not in court. It is in the public-historical record, where it can be examined on the evidence.

Appendix G: Selected Bibliography

(All sources cited in this volume. Only real publications are listed. The sub-headings group sources by the part of the argument they primarily support, so the reader can move from any chapter to the scholarly tradition it stands on.)

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Indigenous law in its own voice (Chapters 12–15, 19)

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Volume 3 of the By What Authority series

- For Volume 1 — *The Argument in Brief*, Volume 2 — *How Paul’s Letters Were Edited*, Companion A — *The Verse-by-Verse Analysis*, and Companion B — *The Reconstructed Pauline Letters*, see the *By What Authority* series overview.

The Textual Foundation

- The argument in this volume rests on a body of textual evidence assembled across Volumes 1 and 2. Volume 1 — *The Argument in Brief* — presents the core argument in a single sitting. Volume 2 — *How Paul's Letters Were Edited* — presents the full case: the verse-level interpolation analysis, the patristic timeline, the Greek text, and forty-nine chapters of evidenced argument.
- Companion A contains the complete verse-level adjudication — every assessed passage, its signal codes and confidence scores, and the manuscript evidence. Companion B presents the seven authentic Pauline letters as a clean reading text with the interpolations removed.
- The appendices in this volume — particularly Appendix B (*The Scale of the Editorial Programme*), Appendix C (*The Colonial-Political Proof-Text Bundle*), Appendix D (*The Transaction and Grace Textual Spine*), and Appendix E (*Verifying the Textual Claims Yourself*) — are the bridge between the textual evidence in Volumes 1 and 2 and the institutional-legal argument made here.